

NORMALIZING RELATIONS WITH VIETNAM SHOULD AWAIT ANSWERS ON AMERICAN POW'S

(Mr. CAMP asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. CAMP. Mr. Speaker, after 40 years of cold war, there is finally a Russian regime that appears dedicated to reforms and the truth. I assume many of us either watched President Yeltsin's comments last night, or at least read about them this morning. I am speaking of his comments regarding the possibility of American POW's from Vietnam still being alive in, of all places, the former Soviet Union.

Even the State Department admits that if President Yeltsin's statement is accurate, this is a major revelation.

There are those who believe we should lift the economic embargo against the Socialist Republic of Vietnam before the select committee in the other body has completed its work. Normalizing ties with Vietnam would be unfair to the people who served our Nation, and unfair to their families. We owe it to them to get the answers before we resume a relationship with a nation that has never satisfactorily answered our questions about our missing service men and does not seem to believe in reform or the truth.

I am once again calling upon my colleagues to cosponsor and act upon House Concurrent Resolution 233, a resolution that calls upon the President not to normalize relations with the Socialist Republic of Vietnam until the Senate Select Committee on POW/MIA Affairs reports its findings.

QUESTIONS RAISED ABOUT GATT AND NAFTA

Mrs. BENTLEY asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Mrs. BENTLEY. Mr. Speaker, congressional offices last week received a fact sheet on the interrelationship of the General Agreement on Tariffs and Trade [GATT] and the North American Free Trade Agreement [NAFTA].

This information has been supplied by the United Food and Commercial Workers International Union. I believe the American people should be made aware of the threats to our national sovereignty were we to go along with either of these agreements as they are currently being considered.

Among some of the points raised by the UFCW: first, the terms of the current GATT draft will result in elimination of all import control laws including the U.S. Meat Import Act.

Second, a GATT panel ruled, "GATT is part of federal law in the U.S. and as such is superior to GATT-inconsistent state law." If the panel report is adopted, the Federal Government would be obligated to ensure

that the fifty states be in strict compliance with GATT.

The question of the future of federalism in our government must be discussed in light of these disclosures.

I will include a factsheet elsewhere in the Record.

□ 1300

"COP KILLER" SONG IS OUTRAGEOUS, A MARK OF SHAME FOR WARNER BROTHERS RECORDS

(Mr. PORTER asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. PORTER. Mr. Speaker, I yield to no one in defending freedom of expression. I have argued that by tolerating all political statements, even those as offensive as burning an American flag, we reaffirm our commitment to free speech.

But whenever individuals abuse society's tolerance with hateful and violent speech, they endanger this precious constitutional protection. So it is with a song by rap star Ice-T entitled "Cop Killer." No mere cry of outrage against the Rodney King verdict, this song urges murdering police officers. The few lyrics that may even be repeated here leave no ambiguity:

I got my twelve gauge sawed off/I'm 'bout to dust some cops off * * * tonight we get even. I'm 'bout to kill me somethin' * * * die, pig, die!

And who is marketing this disgraceful incitement to violence? A fly-by-night distributor? No, it's Warner Brothers Records, a division of Time-Warner, one of America's largest media-entertainment corporations.

Mr. Speaker, all Americans should be repulsed by Ice-T's message. But they should be even more disgusted that, in its zeal for profit, Time-Warner has thrown ethics out the window to shamelessly market this call for hatred and violence.

ANNOUNCEMENT OF APPOINTMENT OF MEMBER TO SELECT COMMITTEE ON CHILDREN, YOUTH AND FAMILIES

The SPEAKER pro tempore (Mr. McNULTY). Pursuant to the provisions of section 203 of House Resolution 51, 102d Congress, the chair announces the Speaker's appointment of the gentleman from Illinois [Mr. FAWELL] to the Select Committee on Children, Youth and Families to fill the existing vacancy thereon.

NATIONAL VOTER REGISTRATION ACT OF 1992

Mr. WHEAT. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 480 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 480

Resolved, That at any time after the adoption of this resolution the Speaker may, pursuant to clause 1(b) of rule XXIII, declare the House resolved into the Committee of the Whole House on the State of the Union for the consideration of the bill (S. 250) to establish national voter registration procedures for Federal elections, and for other purposes, and the first reading of the bill shall be dispensed with. After general debate, which shall be confined to the bill and which shall not exceed one hour to be equally divided and controlled by the chairman and ranking minority member of the Committee on House Administration, the bill shall be considered as having been read under the five-minute rule. No amendment to the bill shall be in order except the amendment printed in the report of the Committee on Rules accompanying this resolution. Said amendment shall be considered as having been read, shall be debatable for not to exceed one hour, equally divided and controlled by the proponent and a member opposed thereto. Said amendment shall not be subject to amendment. At the conclusion of the consideration of the bill for amendment, the Committee shall rise and report the bill to the House, and the previous question shall be considered as ordered on the bill to final passage without intervening motion except one motion to recommit which may not contain instructions.

POINT OF ORDER

Mr. SOLOMON. Mr. Speaker, I make a point of order against the consideration of the resolution on grounds that it violates both House rule XI, clause 4(b) and House rule XLIII, and ask to be heard on my point of order.

The SPEAKER. The gentleman from New York [Mr. SOLOMON] is recognized on his point of order.

Mr. SOLOMON. Mr. Speaker, let me say at the outset that I regret that it is even necessary to raise this point of order. As you will recall, in January of last year I presented you, Mr. Speaker, with a 48-page paper documenting the precedents and history behind the rules which guarantee to the minority the right to offer a motion to recommit a bill of its choosing—including one with instructions.

Then last June we sat down in your office with the Republican leader, the majority leader, and the Rules Committee chairman, and myself, and it was agreed that the Rules Committee would further look into our complaints about being denied our right to offer recommitment instructions on certain bills.

The Rules Committee's Subcommittee on Rules of the House finally did hold a hearing on May 6 of this year, but no report has yet been issued as a result of that hearing and study.

As the Speaker well knows, the whole purpose of the Rules Committee study of this controversy was to attempt to reach some kind of accommodation between the majority and minority over the issue of restricting our right to recommit bills.

I am certain the Speaker did not have in mind that a hearing alone, without any subsequent effort to solve

this problem, would suffice, and I know that. A hearing alone does not constitute a good-faith effort to reach accommodation.

Having said all that, Mr. Speaker, permit me once again to make the case for this point of order. The rule before us allows for one motion to recommit but goes on to say that the motion "may not contain instructions."

Mr. Speaker, again I have to repeat, clause 4(b) of House rule XI provides that the Rules Committee "shall not report any rule or order * * * which would prevent the motion to recommit from being made as provided in clause 4 of rule XVI."

And clause 4 of rule XVI, at the relevant part, states that:

After the previous question shall have been ordered on the passage of a bill or joint resolution one motion to recommit shall be in order and the Speaker shall give preference in recognition to a Member who is opposed to the bill or joint resolution.

Mr. Speaker, it can hardly be argued that by denying any instructions in a motion to recommit, the right of the minority Member entitled to offer that motion is being preserved or protected. When the rule issued by the majority's Committee on Rules dictates that the minority Member may only offer a straight motion to recommit, that Member is deprived of the right to offer a motion of his or her choosing.

Mr. Speaker, it must be remembered that before these two rules were adopted in 1909, the House already had a rule, dating back to 1880, allowing for a motion to recommit, with or without instructions, either before or after the previous question is ordered. That rule is rule XVII, clause 1 and is still a part of our rules today under which we are supposed to be operating here.

As the Speaker will recall from the paper I presented him in January 1991, in 1909 the new recommit rule was offered by a minority Member of this House, Democrat John Fitzgerald from my State of New York, specifically giving that motion to the minority. And at the same time, a rule was adopted, which we now call clause 4(b) of rule XI, to prevent the Rules Committee from ever denying the minority that right.

In offering those two rules changes, Representative Fitzgerald said, and I quote once again, and I hate to take the Speaker's time but it has to be said:

Under our present practice, if a Member desires to move to recommit with instructions, the Speaker instead of recognizing a Member desiring to submit a specific proposition by instructions, recognizes the gentleman in charge of the bill.

In other words, Mr. Speaker, up to that point, the Speaker could recognize the majority manager to offer the motion to recommit and thereby prevent the minority from offering such a motion with instructions in the way of a final amendment.

And Fitzgerald went on to say, and again I quote:

Under our practice, the motion to recommit might better be eliminated from the rules altogether.

In short, Mr. Speaker, the whole purpose for the new rule was to permit the minority to offer a motion to recommit with instructions if it so desired. On May 14, 1912, Speaker Champ Clark, another Democrat, and I used to be one, Mr. Speaker—I have researched all these Democrats.

Champ Clark, a Democrat from Missouri, upheld a point of order against a rule denying a motion to recommit by pointing to Jefferson's Manual in which Jefferson observed that rules are instituted in parliamentary bodies as a check against action of the majority and a shelter and protection to the minority.

Clark concluded on this point by ruling that, and I quote, "it was intended that the right to make the motion to recommit should be preserved inviolate."

□ 1310

On October 17, 1919, Speaker Gillett, a Republican from Massachusetts—we had Republicans from Massachusetts in those days—in overruling a point of order against a minority motion to recommit with instructions, said, and I quote:

The fact is that a motion to recommit is intended to give the minority one chance to fully express their views so long as they are germane.

Please note, Mr. Speaker, the only condition on that motion was the germaneness rule as found in the standing rules of the House.

And he concluded:

The whole purpose of this motion to recommit is to have a record vote upon the program of the minority. That is the main purpose of the motion to recommit.

Mr. Speaker, the recent body of rulings upholding the right of the Rules Committee to deny the minority that right to offer amendatory instructions in the motion to recommit is based on a 1934 ruling by Speaker Rainey, another Democrat from Illinois, in which he overruled a point of order against a special rule that prohibited amendments to one title of the bill during its consideration.

Speaker Rainey said that the special rule did not mention the motion to recommit which therefore could still be offered under the general rules of the House. And he went on to rely on the principle that one cannot do indirectly by way of a motion to recommit that which cannot be done directly by way of amendment. And since the special rule prohibited amendments to one title, the motion to recommit could not amend that title either.

In short, Mr. Speaker, he held that a special rule prohibiting certain amendments had the same status as the standing rules of the House, even though the special rule was more restrictive than the standing rules, and

in fact, was a departure from those standing rules.

Even a germane amendment could not be offered in the motion to recommit.

Mr. Speaker, I have long maintained that the ruling of Speaker Rainey was wrongly decided. On the one hand, he tried to claim that the right of the motion to recommit was preserved under the general rules. But he then turned around and said the general rules of the House had no standing when it came to an amendment in the motion to recommit—that the special rule from the Rules Committee had precedence.

Mr. Speaker, you cannot have it both ways. To the extent that the Rules Committee limits or denies the motion to recommit in a way that departs from the general rules of this House that we operate under, it is violating the prohibition on it as contained in clause 4(b) of Rules XI.

And I ask the Members to read the rules and see for yourselves.

To paraphrase Speaker Champ Clark, the motion is no longer inviolate as it was intended to be. And that is wrong. Instead, the right has been grossly violated.

Mr. Speaker, finally I will just point out that I am basing my point of order on House Rule XLII, which states, in part, and I quote:

The Rules of parliamentary practice comprised in Jefferson's Manual * * * shall govern the House in all cases to which they are applicable and in which they are not inconsistent with the standing rules and orders of the House * * *.

Mr. Speaker, I would maintain that in a case such as this, where there is ambiguity, Jefferson's Manual should be relied on as the final arbiter, just as Speaker Clark relied on it in his ruling in 1912 on this issue. And, to quote from section 1 of Jefferson's Manual, and I wish the Members would listen up because what we are trying to strive for here is fairness. It says:

As it is always in the power of the majority, by their numbers, to stop any improper measures proposed on the part of their opponents," the opponents being we, the minority, "the only weapons by which the minority can defend themselves against similar attempts from those in power are the forms and rules of proceedings which have been adopted as they were found necessary from time to time, and are become the law of the House, by a strict adherence to which the weaker party can only be protected from those irregularities and abuses which these forms were intended to check.

Mr. Speaker, that is terribly, terribly important.

Jefferson concluded on this point as follows:

It is much more material that there should be a rule to go by than what that rule is; that there may be a uniformity of proceeding in business not subject to the caprice of the Speaker or captiousness of the Members. It is very material that order, decency, and regularity be preserved in a dignified public body.

I repeat, Mr. Speaker, in a dignified and fair body.

Mr. Speaker, I would submit that Jefferson's Manual, which is incorporated as part of the rules of the House, should be the final authority on this issue. And Jefferson's Manual clearly comes down on the side of minority rights which are protected under the standing rules of the House—the regular order of proceeding, which we defend every day.

Mr. Speaker, to permit a special rule such as this to take priority is to give way to the caprice of the Speaker's Committee on Rules or the captiousness of the majority Members in abusing, indeed denying, the only protection and weapon which we, the minority have, and that is the standing, not special, the standing rules of this House.

Mr. Speaker, I cannot make it any clearer. You are a fair man, a man respected by us; but you do represent all of us in this House, the majority and minority. And I know that you feel that way personally. And I would just hope for the good of this House and the future of this House and the future of your party, which may become a minority someday—we hope soon—I would hope that you would rule in my favor.

The SPEAKER. Does the gentleman from Missouri [Mr. WHEAT] desire to be heard on the point of order?

Mr. WHEAT. Mr. Speaker, I do wish to be heard on the point of order.

The SPEAKER. The Chair recognizes the gentleman from Missouri [Mr. WHEAT].

Mr. WHEAT. Mr. Speaker, the gentleman from New York makes the point of order that the rule limits the motion to recommit and therefore, according to the minority, the rules violates clause 4(b) of rule XI.

Mr. Speaker, I respectfully disagree. Rule XI prohibits the Rules Committee from reporting a rule that: "would prevent the motion to recommit from being made as provided in clause 4 of rule XVI."

Clause 4 of rule XVI only addresses the simple motion to recommit. Nowhere are instructions mentioned.

Mr. Speaker, the Rules Committee may report a rule limiting the motion to recommit. So long as the rule allows a simple motion to recommit, it does not violate clause 4(b) of rule XI.

Mr. Speaker, this is a well-established parliamentary point. Speaker Rainey, on January 11, 1934, so ruled and was sustained on appeal.

The point was reaffirmed five times in the last 2 years: October 16, 1990; June 4, 1991; on November 25, 1991; February 26, 1992, and again 1 month ago, on May 7, 1992. Several times, the minority moved to appeal the ruling of the Chair. On each occasion the House voted to table the motion, sustaining the ruling.

Mr. Speaker, the precedents were strengthened by the votes of the House. The House consistently sup-

ported our interpretation of the rule. Absent an intervening change in the rule, the chair would be constrained, in my opinion, to heed this interpretation.

Finally, Mr. Speaker, the minority's position on the motion to recommit was seriously compromised, to my mind, by its support for House Resolution 450. House Resolution 450 was the rule providing for consideration of the balanced budget constitutional amendment.

House Resolution 450 severely restricted the motion to recommit with instructions. Yet every member of the minority voting on the rule—except two—voted "aye."

In summary, Mr. Speaker, the precedents are clear, consistent, and unequivocal.

Since 1934 there is not a single instance in which Speaker Rainey's interpretation was overturned. Not one rule limiting the motion to recommit was successfully challenged on a point of order.

Moreover, the House spoke several times in the last 2 years to reaffirm and strengthen this position. And finally, Mr. Speaker, the House overwhelmingly supported—just last week—a rule limiting the motion to recommit.

Search the RECORD and you will not find a single word of protest from the minority last week.

Mr. Speaker, I urge you not to sustain the point of order.

The SPEAKER. Does the gentleman from New York wish to be heard further on his point of order?

Mr. SOLOMON. Thank you, Mr. Speaker.

Mr. Speaker, let me just say it is the intent of Jefferson's Manual that the minority have its right to recommit with instructions. It is the rules of this House that we have that right, and, Mr. Speaker, you know, the Democratic Party enjoys, I believe, a 101-vote majority in this House.

□ 1320

If there is any fairness at all, Mr. Speaker, you would rule that we have this traditional right.

Mr. WALKER. Mr. Speaker, may I be heard on the point of order?

The SPEAKER. The gentleman from Pennsylvania will be heard.

Mr. WALKER. Mr. Speaker, the gentleman from Missouri [Mr. WHEAT] cited as the principal evidence of the willingness of the House to abandon its minority right a series of votes that have taken place in recent years. Obviously, what we have there is the majority party muscling the minority party with its voting majority, and it has nothing to with the rules of the House or the kind of precedents that protect minority rights.

If in fact what we have decided is that the minority is always at the mercy of the majority's ability to change the rules, then the Chair, it seems to me, does rule against the gen-

tleman from New York, and that would be a travesty. If what the Chair is concerned about doing is protecting the minority, as it is supposed to be protected under the rules, then the Chair, I think, has no other duty than to rule in favor of the point of order of the gentleman from New York, because it is clear in this particular instance that to rule against the point of order of the gentleman from New York is to really rule that the minority has no real position under the rules, and that any position the minority has under the rules is conveniently stripped by a majority vote of the majority party. That would be a travesty that goes against everything the House is supposed to stand for in debate, and I would hope that the Chair would rule in favor of the point of order raised by the gentleman from New York [Mr. SOLOMON].

Mr. SOLOMON. Mr. Speaker, I thank the gentleman from Pennsylvania [Mr. WALKER] for his remarks, and I insist on my point of order.

The SPEAKER. The gentleman from New York [Mr. SOLOMON] has made a point of order against consideration of House Resolution 480 and, based on arguments made previously by the gentleman from New York, has insisted that in denying the motion to recommit with instructions and providing authority only for a motion to recommit, the committee has violated House rules and a point of order should be sustained against the resolution.

Under the precedents of October 16, 1990, February 26, 1992, and May 7, 1992, all of which, as the gentleman correctly points out, stem from the precedent of January 11, 1934, the Chair is constrained to overrule the point of order.

Mr. SOLOMON. Mr. Speaker, I most respectfully appeal the ruling of the Chair.

Mr. WHEAT. Mr. Speaker, I move to lay on the table the appeal of the ruling of the Chair.

The SPEAKER. The question is on the motion to table offered by the gentleman from Missouri [Mr. WHEAT].

The question was taken; and the Speaker announced that the noes appeared to have it.

Mr. WHEAT. Mr. Speaker, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

The SPEAKER. Evidently a quorum is not present.

The Sergeant at Arms will notify absent Members.

The vote was taken by electronic device, and there were—yeas 250, nays 158, not voting 26, as follows:

[Roll No. 189]

YEAS—250

Abercrombie	Anderson	Andrews (TX)
Ackerman	Andrews (ME)	Annunzio
Alexander	Andrews (NJ)	Anthony

Applegate Guarini
Aspin Hall (OH)
Atkins Hall (TX)
AuCoin Hamilton
Bacchus Harris
Barnard Hatcher
Beilenson Hayes (IL)
Bennett Hayes (LA)
Berman Hertel
Bevill Hoagland
Billbray Hochbrueckner
Blackwell Horn
Borski Hoyer
Boucher Huckaby
Boxer Hughes
Brewster Hutto
Brooks Jacobs
Browder Jefferson
Brown Jenkins
Bruce Johnson (SD)
Bryant Johnston
Bustamante Jones (NC)
Byron Jontz
Campbell (CO) Kanjorski
Cardin Kaptur
Carper Kennedy
Carr Kennelly
Chapman Kildee
Clay Kieczka
Clement Kolter
Coleman (TX) Kopetski
Collins (IL) Kostmayer
Collins (MI) LaFalce
Condit Lancaster
Cooper Lantos
Costello LaRocco
Cox (IL) Laughlin
Coyne Lehman (CA)
Cramer Lehman (FL)
Darden Levin (MI)
de la Garza Lewis (GA)
DeFazio Lipinski
DeLauro Long
Dellums Lowey (NY)
Derrick Luken
Dicks Manton
Dingell Markey
Dixon Martinez
Donnelly Matsui
Dooley Mavroules
Dorgan (ND) Mazzoli
Downey McCloskey
Durbin McCurdy
Dwyer McDermott
Dymally McHugh
Early McMillen (MD)
Eckart McNulty
Edwards (CA) Mfume
Edwards (TX) Miller (CA)
Engel Mineta
Engliah Mink
Erdreich Moakley
Espy Montgomery
Evans Moody
Fascell Moran
Fazio Mrazek
Feighan Murphy
Flake Murtha
Foglietta Nagle
Ford (MI) Natcher
Ford (TN) Neal (MA)
Frank (MA) Neal (NC)
Frost Nowak
Gaydos Oakar
Gepdenson Oberstar
Gephardt Obey
Geren Olin
Gibbons Olver
Glickman Orton
Gonzalez Owens (NY)
Gordon Owens (UT)

NAYS—158

Allard Bunning
Allen Burton
Archer Callahan
Armey Camp
Baker Campbell (CA)
Ballenger Chandler
Barrett Clinger
Barton Coble
Bateman Coleman (MO)
Bentley Combest
Bereuter Coughlin
Bilirakis Cox (CA)
Bliley Cunningham
Boehert Dannemeyer
Boehner Davis
Broomfield DeLay

Pallone
Panetta
Parker
Pastor
Patterson
Payne (NJ)
Payne (VA)
Pease
Pelosi
Penny
Peterson (FL)
Peterson (MN)
Pickett
Pickle
Henry
Herger
Hobson
Holloway
Hopkins
Horton
Houghton
Hunter
Hyde
Rose
Inhofe
Ireland
James
Johnson (CT)
Johnson (TX)
Kasich
Klug
Kolbe
Kyl
Lagomarsino
Leach
Lent
Lewis (CA)
Lewis (FL)
Lightfoot

Gilman
Gingrich
Goodling
Goss
Gradison
Grandy
Green
Gunderson
Hammerschmidt
Hancock
Hansen
Hastert
Hefley
Henry
Herger
Hobson
Holloway
Hopkins
Horton
Houghton
Hunter
Hyde
Inhofe
Ireland
James
Johnson (CT)
Johnson (TX)
Kasich
Klug
Kolbe
Kyl
Lagomarsino
Leach
Lent
Lewis (CA)
Lewis (FL)
Lightfoot

Livingston
Machtley
Martin
McCandless
McCollum
McCrary
McDade
McEwen
McMillan (NC)
Meyers
Michel
Miller (OH)
Miller (WA)
Molinari
Moorhead
Morella
Morrison
Myers
Nichols
Nussle
Oxley
Packard
Paxon
Petri
Porter
Pursell
Ramstad
Ravenel
Regula
Rhodes
Ridge
Riggs
Rinaldo
Ritter
Roberts
Rohgers
Rohrabacher

NOT VOTING—26

Bonior
Conyers
Crane
Dickinson
Hefner
Hubbard
Jones (GA)
Levine (CA)
Lloyd

Lowery (CA)
Marlenee
McGrath
Mollohan
Ortiz
Perkins
Quillen
Ray
Savage

Ros-Lehtinen
Roth
Roukema
Santorum
Saxton
Schaefer
Schiff
Schulze
Sensenbrenner
Shaw
Shays
Shuster
Skeen
Smith (NJ)
Smith (OR)
Snowe
Solomon
Spence
Stearns
Stump
Sundquist
Taylor (NC)
Thomas (WY)
Upton
Vander Jagt
Vucanovich
Walker
Walsh
Weber
Weldon
Wolf
Wylie
Young (AK)
Young (FL)
Zeliff
Zimmer

□ 1342

The Clerk announced the following pair:

On this vote:
Mr. Bonior for, with Mr. Quillen against.

Mr. PAXON changed his vote from "yea" to "nay."

So the motion to table was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

The SPEAKER. The gentleman from Missouri [Mr. WHEAT] is recognized for 1 hour.

Mr. WHEAT. Mr. Speaker, for purposes of debate only, I yield the customary 30 minutes to the gentleman from California [Mr. DREIER], pending which I yield myself such time as I may consume.

During consideration of this resolution all time yielded is for the purpose of debate only.

Mr. Speaker, House Resolution 480 is a modified rule providing for the consideration of S. 250, the National Voter Registration Act of 1991. The rule provides for 1 hour of general debate, to be equally divided between the chairman and ranking minority member of the Committee on House Administration.

The resolution makes in order the amendment printed in the report accompanying the rule. The amendment

is debatable for 1 hour and is not subject to amendment.

Finally, Mr. Speaker, the rule provides for one motion to recommit which may not contain instructions.

Mr. Speaker, the right to vote is a fundamental right belonging to all U.S. citizens, yet millions of Americans do not exercise that right—for various reasons.

Some of those reasons—apathy, lack of hope—do not have a legislative remedy, but some do. Today we have before us one remedy that Congress and the President can enact, the Voter Registration Act of 1991.

Each of us would like all eligible voters to participate fully in the electoral process. Faced with not achieving perfection we often hesitate to act on and accept the good. Let us not give in to such hesitancy but let us act swiftly, decisively and positively to approve S. 250 today.

Mr. Speaker, I reserve the balance of my time.

Mr. DREIER of California. Mr. Speaker, I yield myself such time as I may consume.

(Mr. DREIER of California asked and was given permission to revise and extend his remarks.)

Mr. DREIER of California. Mr. Speaker, this rule is a farce. Not only do I oppose the rule, I urge my colleagues to defeat the previous question so that we can consider S. 250 under a rule that reflects the spirit of this legislation—openness.

It is the height of irony that the Democrat leadership, in a half-hearted attempt to bring to the floor a bill to expand voting rights and democracy, does so under a tyrannical rule that denies those same basic principles to the Members of this institution. The rule does this in several ways, Mr. Speaker.

First, it is another closed rule. The Democrat leadership professes to want to give more people the opportunity to vote, yet the elected representatives they choose are not allowed to fully represent them.

Second, the rule circumvents the committee system by calling up a bill that has neither been reviewed nor approved by the committee of jurisdiction. It should be referred to the House Administration Committee and properly reported by that committee.

This is not the same bill that passed the House in 1990 and, even if it were, there are members who sit on the House Administration Committee today who were not on that committee in 1990.

Bob Livingston, the ranking Republican on the Subcommittee on Elections, for example, was not on the committee in 1990.

Third, the rule once again denies Republicans the historical right to offer a motion to recommit with instructions. Some on the other side argue that we should be grateful because the majority is allowing us to offer one

substitute amendment. That argument ignores the fact that we have differences of opinion about how to reform our voter registration procedures.

The more limited the opportunity for minority members to offer amendments, the more important it becomes to have that recommittal motion with instructions. Also, as the gentleman from California, BILL THOMAS, has pointed out in the past, that recommittal motion with instructions offers probably the only hope that we will get a voter registration bill enacted into law this year, bipartisan or otherwise.

As the legislation stands now, it might more appropriately be called the National Voter Fraud Act.

There is no mandatory address verification program and other safeguards against fraud. American citizen or not, virtually anyone who can illegally obtain a driver's license can register to vote with little fear of getting caught.

In other words, S. 250 provides de facto voting rights to nonresidents; it provides cover to corrupt officials that pad the voter rolls with deceased and nonexistent individuals; and it usurps States rights to administer their constitutional authority to regulate their elections process.

Mr. Speaker, this is not a serious effort to reform State voter registration procedures. If it were, the legislation would have followed the normal legislative process, and it would not have been brought to the floor under the cover of an abusive and undemocratic rule.

I want to reiterate to my colleagues, if you sincerely want an effective voter registration bill, I urge you to vote to defeat the previous question and to support my amendment to bring up S. 250 under an open rule.

Mr. Speaker, I reserve the balance of my time.

□ 1350

Mr. WHEAT. Mr. Speaker, I yield myself such time as I may consume. Mr. Speaker, I have a number of speakers on this issue. I do want to clear up the matter of whether the minority's rights are being protected.

We have just been through a point of order and an appeal on the ruling of the Chair on the point of order and the motion to reconsider, which would have allowed, for all practical purposes a substitute by the minority to this bill.

Mr. Speaker, I want to make it clear to my colleagues that this rule does allow the minority the right to offer a substitute to the bill, so there is the alternative that is being presented from the committee, from the majority, and then there is the right for the minority to offer a substitute, two competing philosophies on how best voter registration can be improved in this country.

Mr. Speaker, for purposes of debate only, I yield 3 minutes to the gentleman from North Carolina [Mr. ROSE].

Mr. ROSE. Mr. Speaker, I rise today in support of the rule providing for consideration of S. 250, the National Voter Registration Act. Today, as we bring to the floor the product of 4 years of hard work and dedication, particularly by the gentleman from Washington State, we mark a major step in reforming the voter registration process in this country.

Mr. Speaker, I have heard the criticisms of this rule and I want to dispel them. Four years ago the Subcommittee on Elections of the Committee on House Administration began a monumental effort to ease the ability of our citizens to register to vote. They held multiple hearings and received testimony from over 40 witnesses. Nearly 100 outside civic and civil rights groups contacted the Committee on House Administration. Countless meetings and endless negotiations were held to produce a bipartisan bill. The result was H.R. 2190, which passed the House with bipartisan support.

H.R. 2190 was stalled in the Senate until this year, when it passed as S. 250. S. 250 is nearly identical to 2190. It is the product of the same hearings, the same meetings, the same negotiations.

Mr. Speaker, when it came to time to consider S. 250, there was no reason to further delay this bill. The goal of this legislation is to create added opportunities for citizens to register, and that is too important to allow further delay. When barely one-third of eligible citizens voted in the last congressional elections, that says to me that immediate action is necessary, particularly when this bill has already passed the House once.

Nearly 90 percent of our citizens hold driver's licenses. All of them should be given the opportunity to register to vote as a routine matter. That is why I support this bill and this rule. I would urge my colleagues to do the same.

Mr. DREIER of California. Mr. Speaker, first I would like to express my great appreciation to my friend, the gentleman from Missouri [Mr. WHEAT] for the magnanimity that the majority is showing, but there are some serious questions that need to be addressed. That is why we hope we can have our recommittal motion. That is why I am going to urge a no vote on the previous question.

Mr. Speaker, I yield 3 minutes to the gentleman from Illinois [Mr. MICHEL], our revered Republican leader.

(Mr. MICHEL asked and was given permission to revise and extend his remarks.)

Mr. MICHEL. Mr. Speaker, I rise in opposition to this rule. It typifies all that has gone wrong in the House of Representatives under a decades-long Democratic Party domination.

The majority wants us to believe this Senate-passed bill is the same one that we passed in the 101st Congress. For that reason they have swiftly

brought it to the floor without it ever being considered in the Committee on House Administration. "No hearings are needed," the majority has proclaimed. "We know the issues. There is no reason to rehash old arguments."

I happen to disagree. There is a need to reconsider old arguments and to make new proposals. After all, this is a new Congress. We on the minority side have a different ranking member on the subcommittee having jurisdiction. We would like the opportunity to re-examine the issues, to consult new data, and to consider different amendments, but the majority, in its haste to seize this issue for political purposes, deserted the democratic process of consultation, consideration, and debate, and they denied us the opportunity to offer improving amendments that are at the heart of any legislative process.

We wanted to offer an amendment to make the States' participation voluntary. The Committee on Rules denied us that chance. We wanted to offer an amendment to strengthen the fraud provisions of the bill. We were denied.

I just happened to have an offhand visit with our Governor at a health care subcommittee with the Governors, and we mentioned that this bill would be up on the floor this afternoon. He said:

That is a bad one for us out in our home State of Illinois with respect to the way we handle voter registration and automobile registration in our State.

We wanted the House to consider several other amendments. All of them were denied. We wanted to provide matching Federal funding. That was denied.

The majority once again has offered us that same tired alternative, one substitute, take it or leave it, denying again that opportunity in this body to debate pro and con or refine amendments. It demeans the whole legislative process: no room for compromise, no room for negotiation, no room for bipartisanship, no room for amendment. As I said, I just do not think that serves the legislative process well.

Mr. Speaker, this is not a democratic process at work, it is legislative tyranny at its worst. I urge my colleagues to strike a blow for democracy by defeating this rule.

Mr. WHEAT. Mr. Speaker, I yield 6 minutes to the gentleman from Washington [Mr. SWIFT], the distinguished chairman of the Subcommittee on Elections of the Committee on House Administration.

(Mr. SWIFT asked and was given permission to revise and extend his remarks.)

Mr. SWIFT. Mr. Speaker, I thank the gentleman for yielding me this time.

Mr. Speaker, this is precisely the right rule for this legislation.

For all practical purposes, S. 250 is the same legislation as H.R. 2190

which the House enthusiastically passed 2 years ago. Its purposes are the same, its procedures are almost identical. There is nothing really new in S. 250 except for one very significant addition. S. 250 specifically reaches out to the disabled, the handicapped, and the elderly, to offer them an opportunity to register or bring their registrations up to date. That is something, I am sorry to say, we did not include in H.R. 2190 and I am delighted that the other body corrected this omission.

In all other respects this bill reflects the work of the House. My Elections Subcommittee held four hearings on this legislation in 1988 and 1989; we heard 42 witnesses—elections officials, voting experts, public interest groups, academics, Members of Congress. We heard from a broad and informed group. Our colleague JOHN CONYERS introduced preliminary legislation to get the ball rolling.

In addition to these executive hearings, my staff and I spent hundreds of hours listening to and working with a wide spectrum of interests to craft this bill. Part of this working group was the gentleman from California [Mr. THOMAS] who was the ranking member of the subcommittee, because I believed then, and I still believe, that the right of every eligible citizen to participate fully in our democratic process has nothing to do with partisan politics. Many sound concepts in this bill are the result of this bipartisan effort.

The result of 2 years of work was H.R. 2190. This House rewarded us by passing the bill on February 6, 1990. It went to the other body to be buried in a hostile, totally partisan filibuster.

At the beginning of this Congress there was enormous pressure to reintroduce H.R. 2190. But I had learned two things from my 1990 experience; first, there was no point in the House passing the bill again and then have the Republicans in the other body kill it through parliamentary tactics, and second, even after every conceivable effort was made, the Republican leadership in the House did and will continue to oppose this registration reform.

So, I believed that we should let the other body go first in this Congress. Well, they did. They finally broke through the filibuster and with the fine work of Senators FORD and HATFIELD, the Senate passed motor-voter on May 20. It was a great accomplishment—against stubborn partisan opposition.

So, it is back to us. Are we to start all over again, or are we to move ahead? I think the answer to all of us who are truly interested in reform is that we must grab this opportunity now. That means going ahead and passing S. 250 and sending the bill to the President for his signature. It is absolutely pointless to send S. 250 back to committee. Nothing would be gained and the bill would be lost,

which is the purpose of those who propose recommitment.

Two years ago, the gentleman from Kansas [Mr. ROBERTS] stated that we were rushing the bill. He said that even though he knew we had spent 2 years putting it together. Now it is 2 years later. We can hardly be accused of rushing the bill.

The Office of Management and Budget objects because they say there is not sufficient justification for such a bill. Almost 40 percent of the eligible voters in this country not registered and OMB says that is insufficient justification.

It is appalling to me what tortured logic is used to oppose this legislation. Opponents say it is not needed, that it is of no concern that millions of Americans are shut out of the election process. They say that it will increase the chance of fraud. Increase it over what? This bill is far more antifraud than any present procedure. The fraud argument is absurd. An opponent in the Rules Committee suggested that somehow it would stimulate illegal aliens into trying to register. Are you kidding? What illegal aliens are going to risk perjury, especially since in most States that have photos on their driver's licenses they will have to have their picture taken which will confirm the act of perjury?

The fact is S. 250 does not register anyone. Let me repeat, S. 250 does not register a single soul. It allows eligible citizens, at their own behest, to register. The bill in no way supplants the traditional role of States and local election officials from administering the election process.

So I urge my colleagues to support this rule. It provides the opposition with their substitute, which incidentally requires no easing of the restrictions on registration. It provides those of us who have supported this legislation for the past 4 years an opportunity to vote for final passage. It is a good rule, so let's pass it and get on to the debate on the substitute and the bill. This is an historic moment for this Congress. We are on the verge of passing, make no mistake about it, the most important election bill since Congress passed the Voting Rights Act itself.

□ 1400

Mr. DREIER of California. Mr. Speaker, I yield 3 minutes to the gentleman from New York [Mr. SOLOMON], the hard-working ranking Republican on the Committee on Rules.

Mr. SOLOMON. Mr. Speaker, in rising to oppose this rule along with my good friend from California, Mr. DREIER, let me just say that following consideration of this motor voter registration bill today we are scheduled to consider a resolution which is going to establish a joint committee to reform the Congress. I repeat "reform the Congress." And let me tell Members, if they want a good reason why we need such a joint committee to reform this

Congress, they need look no further than this rule.

This rule is an outrage, if not unprecedented. What it amounts to is nothing less than running up a white flag on the ability of this House to do anything under normal procedures. We are about to capitulate to the other body, which is something that I detest. We might as well have a unicameral legislature around here.

Let there be no mistake about what this rule does. Let me just recount briefly why this is such an embarrassment and such a disgrace. We are being asked today to take up a bill passed by the other body and consider it in the Committee of the Whole right here with just one minority substitute. This is a bill that has never been referred to a committee of this House; a bill that has never been the subject of hearings in this House; a bill that has never had the benefit of a report from any committee of this House; a bill that is completely different from the one that was passed by this House in the last Congress 2 years ago; a bill that cannot be perfected by way of amendment from either the majority or the minority side of the aisle in this House. I have had Members from the majority side come to me and say they support an open rule because they want to offer amendments. Democrats are saying that.

This is a bill that is not even subject to a motion to recommit with instructions, and that is just a procedural objection, my friends.

On the basis of testimony received in the Rules Committee, there are all kinds of substantive flaws in this legislation that should be addressed by this deliberative body before it is sent to the President. Those substantive objections are ample evidence of why this legislation should be subjected to normal legislative procedure in the House.

That is why in the Rules Committee I offered a motion to postpone further consideration of this rule until the bill has been referred to the committee of jurisdiction and then properly reported back from it. Unfortunately, my friends, that motion was defeated on a party line vote, just as were several other motions to make in order some seven individual amendments that were presented to us by various Members from both sides of the aisle.

Mr. Speaker, let me conclude by saying this is not just a partisan dispute, although it is clear that the majority is trying to jam this bill down our throats. More importantly, this is a major institutional controversy that holds a dagger to the heart of our committee system.

Let me say to all of my friends over there in the majority, and let me warn you on the other side of the aisle, especially your committee chairmen, that if you buy off on this process today it may very well be your committee that gets bypassed tomorrow. If

you believe in the committee process you will vote down the previous question and you will allow an open rule to permit this House to work its will.

Mr. Speaker, that is only fair.

Mr. WHEAT. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, let me point out that the House did consider and act on a bill very similar to the bill we are considering today 2 years ago. Under the very capable direction of Chairman SWIFT and the gentleman from California [Mr. THOMAS] approving it, 289 to 132. Considerable time was spent by Members on both sides of the aisle to fashion a bipartisan bill and S. 250 is substantially like the bill, as we have heard from Chairman SWIFT, approved by the House in 1990.

The Senate started floor consideration of S. 250 in mid-1991 and had attempted cloture six times before it finally got to the point of final passage.

Mr. SOLOMON. Mr. Speaker, respectfully I ask the gentleman to yield.

Mr. WHEAT. I am happy to yield to my friend from New York.

Mr. SOLOMON. Mr. Speaker, I have the greatest respect for the gentleman. But the truth is, on our side of the aisle we are divided, we have differences of opinion. We would have liked that opportunity. On your side you have differences of opinion. You should at least give them the opportunity on your side to present both versions. That is all we want on our side. That is only fair to the membership, I say to the gentleman.

Mr. WHEAT. I thank the gentleman for his comments, and I know he is sincere about his wish to participate in fair and open debate on this. And we believe we are giving both sides the opportunity by presenting a bill that has been discussed in committee and the House of Representatives, that was approved by the House, that then went to the Senate, did not pass, and this is substantially the same bill that has come back from the Senate this year, and allowing the minority the opportunity to offer a substitute.

Mr. DREIER of California. Mr. Speaker, I yield 3½ minutes to the gentleman from Louisiana [Mr. LIVINGSTON], the ranking member of the Subcommittee on Elections who was not there and has not had a chance to look at this bill up to this point.

(Mr. LIVINGSTON asked and was given permission to revise and extend his remarks.)

Mr. LIVINGSTON. Mr. Speaker, I thank the gentleman for the time and I rise in opposition to the rule.

Mr. Speaker, the Democrats will have you believe that we are here to debate procedures for expanding voter registration to open up the democratic process. However, this bill and this rule are prime examples of how the Democrats abuse their majority status to muzzle Republican voters and subvert the democratic process.

I am the ranking Republican on the House Administration Subcommittee on Elections. However, I was never consulted by the majority on the development of S. 250. We have held no hearings on the bill, no consideration in the subcommittee, no consideration in the full committee, no negotiations, and no input from the Republicans. No wonder the American people are fed up with politics.

I find it extremely ironic that in the effort to increase voter participation, the majority gags the participation of the minority.

The Republicans are only allowed to offer one substitute, which sets up a partisan battle and guarantees that the bill will not be amended, but will be vetoed.

Since the bill skipped the committee process, I asked the Rules Committee to allow me to offer amendments which would improve the bill by reducing the opportunity for fraud. Striking the mail registration, same-day registration, and welfare registration which are required by the bill would lessen the opportunity for fraud. As usual, the Rules Committee, made up of nine Democrats and four Republicans, did not make my amendments in order.

I also asked the Rules Committee to allow an amendment to add the compromise address verification provisions from last year's bill, which were omitted from S. 250. Once again, my request was denied.

The intentions of this rule are obvious. Muzzle the Republicans, pass the most liberal bill possible to satisfy Democrat special interest activists, and criticize the President's certain veto. This procedure helps to explain the widespread affection for the U.S. Congress.

The American people demand action on improving the economy, preventing crime, reforming education, balancing the budget, and other pressing issues. Instead, they must witness this partisan charade designed to provoke a veto.

If we truly want to increase voter participation in the election process, we must give the American people a reason to believe that their vote counts. Engaging in political posturing to gain as many Presidential vetoes as possible solves no problems and drives the voters away from the polls. I do not understand how anyone benefits from your carefully designed strategy to promote gridlock.

You have a 100-vote majority on your side on the aisle. Why can't you allow amendments to address fraud? Why must you bypass the committee process? Why deny the minority our traditional right to recommit the bill with instructions? What are you afraid of?

Mr. Speaker, this rule is an insult to the voters that elect us to debate these issues. I urge my colleagues to defeat the previous question so that we may offer an open and fair rule. If that

effort fails I urge you to oppose this oppressive rule.

□ 1410

Mr. DREIER of California. Mr. Speaker, I yield 1 minute to the gentleman from Ohio [Mr. McEWEN], a hard-working member of the Committee on Rules.

Mr. McEWEN. Mr. Speaker, ostensibly the purpose of this legislation is because we believe in the democratic process, we believe people should participate in elections, that they should have their voices heard, that the elected representatives should respond to the instructions of the electorate.

The rules of the House that are written today and which are confronting us at this moment say that the voters of the American electorate who have sent people here to voice their concerns are being deliberately excluded from debate. There is a provision that we have on our side of the aisle that we be allowed to be given a motion to recommit with instructions, which says that if we were given the right to be heard, here are the changes we would like to make.

There are those on the majority side of the aisle that said, "That is offensive to us, because you will highlight the truth and merit of your point. It will be embarrassing. Therefore, we will write the rule to prevent you from doing that."

Not only did they deny the subcommittee the right to consider the bill, not only did they deny the committee the right to hear the bill, but now they deny the Republicans the right to even make a suggestion.

Mr. Speaker, vote against this rule. It is as bad as a rule can be.

Mr. DREIER of California. Mr. Speaker, I yield 3 minutes to the gentleman from Kansas [Mr. ROBERTS], a hard-working member of the committee and the ranking member of the Subcommittee on Personnel and Police.

(Mr. ROBERTS asked and was given permission to revise and extend his remarks, and include extraneous material.)

Mr. ROBERTS. Mr. Speaker, I thank the gentleman for yielding me this time, my friend and colleague who originally started out in Kansas.

What the gentleman from Washington [Mr. SWIFT], the dean of good government and also good intentions that sometimes go awry, has said is this:

Last session I crafted a bill, made some very tough concessions and thought I had a compromise, but since Republicans opposed what I brought down from Mount Swift on a table, why comity was shattered.

And what my colleague describes as being stubborn and being very partisan really involves the strong feeling on a great many Republicans' part that we have honest opposition. This is not 2190 revisited.

There are serious, serious differences in this bill, and I am going to

place a summary of them in the RECORD, in regard to voter fraud, a very partisan attempt to limit the spectrum of voter registration locations, as opposed to libraries, marriage license offices, clerks' offices, and post offices etc.

All we asked for, other than several amendments that I was going to introduce, was a motion to recommit with instructions that really represented a bill that the gentleman from California [Mr. THOMAS] and the gentleman from Washington [Mr. SWIFT] worked on during the last session. We were denied.

More to the point, this bill, this whole procedure, represents what is wrong with the legislative process, why we are in gridlock in the Congress, why the American electorate has lost faith in this institution.

So it was for alleged campaign reform, so it is now for motor voter. This so called reform is now in a partisan ditch. The President is going to veto it. It is not going anywhere. They know that. If you want help to get this legislation and increased voter participation at the polls out of the ditch, let us know. We will go to work, but run through the subcommittee and the committee and the committee of jurisdiction.

In the meantime, this is a sad day for the House. It is a sad day for election reform and for minority rights.

It is difficult not to have a sense of frustration and anger with the handling of this rule and S. 250, the National Voter Registration Act.

While S. 250 embraces a worthy goal of attempting to increase voter registration, several very serious concerns regarding motor-voter including fraud and cost have continually been raised. Unfortunately, the majority has had a deaf and partisan ear.

What we are seeing today is an attempt by the majority to completely circumvent the legislative process. There have been no hearings before the committee and subcommittee of jurisdiction. No House hearings have been conducted on this legislation. No

committee or subcommittee meetings have been held to review the legislation, its merits, and the concerns of fraud, cost, or effectiveness. In fact, as Mr. LIVINGSTON, the ranking member of the subcommittee, testified before the Rules Committee last week, he has not even had a single discussion with the subcommittee chairman, AL SWIFT, about the bill.

Instead, the minority has simply been handed a piece of legislation dramatically changed from a bill, H.R. 2190, that was considered by the 101st Congress and told that it will be brought to the floor within a week—no further discussion and no minority input. We cannot and should not tolerate such treatment.

Not only should we be concerned with the process that has been followed, but there are serious questions with this newly crafted version of motor-voter. I would have welcomed the opportunity to work to discuss and fix several problem areas within the bill. It is seriously flawed. However, despite serving on the committee of jurisdiction, I was not given that opportunity. Nor, am I given the opportunity in this rule to offer either of the two amendments I proposed to the Rules Committee last week.

My first amendment would have simply made the legislation voluntary for State governments. My second amendment would have allowed State election fraud statutes that are explicit to be retained, instead of being replaced by the limited fraud provisions contained in S. 250. Without at least retaining State election fraud provisions, voter registration will become voter fraud.

It is important to this debate to remember, this legislation is far different than a bill that was brought before the 101st Congress. It goes far beyond past voter registration efforts, introduces partisan politics into the American election process, and it is a step backward for all parties involved.

If enacted, S. 250 would force States to end current voter registration networks—that have cost State governments millions of dollars to imple-

ment—and replace them with a new Federal standard. No Federal funds would be made available to assist States with the costs—in 10 States alone the estimated cost of implementation is \$87.5 million.

S. 250 mandates voter registration in State welfare and unemployment offices, raising concerns of coercion and fraud. And, it requires States to accept mail registration which limits a State's ability to verify voter identity and eligibility—allowing even more fraud.

Again, I would like to stress, as I did during previous consideration of national voter registration legislation, I stand ready to assist in the crafting of a bill that is fair, bipartisan, fiscally prudent, and sensitive to States' concerns. Unfortunately, this rule does not permit that process.

I urge my colleagues to oppose this rule and later S. 250. It is the wrong approach. S. 250 should be sent back to the House Administration Committee where it can be properly considered.

Mr. Speaker, more to the point, this rule, this bill this whole procedure represents what is wrong with the legislative process, why we are in gridlock in the Congress, and why the American electorate has lost faith in this institution.

The sponsors of this partisan invitation to election fraud know full well this bill is going nowhere and crafted it so that it would be sure to invite our opposition and a Presidential veto. Then, just to make sure the goal of increasing honest voter registration, would become mired in partisan mud, the Democrat leadership bypassed the subcommittee, the committee, and denied any amendments and as a consequence, any debate on the legislation.

So it was for alleged campaign reform, so it is for motor-voter. When you decide to get out of the ditch and back on a road to greater voter participation, let us know. This so-called reform is in a partisan ditch. In the meantime, this is a sad day for the House, for election reform, and for minority rights.

KEY DIFFERENCES BETWEEN THE DEMOCRAT MOTOR-VOTER BILL (S. 250) AND H.R. 2190 (101ST CONGRESS)

S. 250

H.R. 2190

Requires only that each state "conduct a general program that makes a reasonable effort to remove the names of ineligible voters from the official lists * * *" by reason of death, or change in residence. Use of the Post Office change of address system is optional. §§ 8(a)(4) & (c).

Requires states to designate as voter registration agencies all public assistance (welfare) offices, unemployment compensation offices, and offices engaged in providing disability services. Other state or local government agencies are optional. § 7(a).

The Act does not apply to states in which there is no voter registration requirement, or to states in which voters may register to vote at the polling place on election day. § 4(b). Designed to encourage election day registration.

Required specific uniform and nondiscriminatory programs to assure that official voter registration lists are accurate. Required systematic review of residence addresses on voter registration lists by means of first class mailings or a Post Office change of address system. § 106.

Required states to designate a wide spectrum of voter registration locations including public libraries, public schools, clerks' offices, marriage license bureaus, fishing and hunting license bureaus, revenue offices, post offices, and offices providing public assistance, unemployment compensation, and related services. § 105(a).

The Act applied to every state that the FEC determines has a voter registration requirement for elections to federal office. § 102. Intended to promote accurate and current voter registration lists.

KEY DIFFERENCES BETWEEN THE DEMOCRAT MOTOR-VOTER BILL (S. 250) AND H.R. 2190 (101ST CONGRESS)—Continued

S. 250

H.R. 2190

Requires the FEC to impose regulations on the states, and to develop a uniform mail voter registration form to be used by the states. § 9.

Provides reduced rate mail subsidy for registration purposes. § 8(h). No funds are authorized for either the postal subsidy, or the increased FEC administrative costs.

Retained under state law the authority to establish special procedures to verify the registration status of an individual at the polls, and to administer voter registration laws in general. §§ 107, 108.

Authorized \$50,000,000 appropriation for FEC to provide support, through chief State election officials, for programs for assuring accurate and current official voter registration lists. § 113(a)

Mr. DREIER of California. Mr. Speaker, I yield such time as he may consume to the gentleman from California [Mr. THOMAS] to close our debate on this side.

(Mr. THOMAS of California asked and was given permission to revise and extend his remarks.)

Mr. THOMAS of California. Mr. Speaker, I thank the gentleman for yielding me this time.

Mr. Speaker, perhaps we need a couple of civics lessons here before we move on to the substance.

H.R. 2190 passed in the last Congress, I would tell the gentleman from Missouri; S. 250 passed in this Congress. If you find no significance between a piece of legislation passing in the last Congress and this Congress, you do not understand the Constitution.

When I first came in the 96th Congress, there were 214 rules coming out of the Committee on Rules. Not one rule limited the minority's right to recommit with instructions—not limiting, not excluding, not one limitation out of 214 rules.

In the last Congress, and clearly carrying over to this Congress of the 21 limiting measures, 16 of them were denying a motion to recommit with instructions, and that is out of only 104 rules.

Clearly, there is a trend. The trend is to deny the minority the historic right of recommitting with instructions.

I was very sorry to hear my friend, the gentleman from Washington, say that the only reason anyone would support a motion to recommit would be to kill the bill. I heard other Members on the Democrat side use my name as someone who put together a bipartisan package. Now, you cannot have it both ways.

I was in front of the Committee on Rules urging a motion to recommit with instructions. I was not out to kill the bill. I was out to improve the bill.

Why all the rush? If anyone takes time to read the bill, they will find out it does not go into effect until 1994. There is no ability to let a new subcommittee and new committee of this new Congress look at legislation the new subcommittee and the new committee has not seen. There is no deadline that forces us to a resolution or a conclusion today, except for the artificial one imposed by the majority.

I have heard several speakers say that for all practical purposes the bills

are the same. If I was a cosponsor on a bipartisan measure, which H.R. 2190 was, and my friends had said this bill is substantially the same, why am I not for this bill? The answer is simple: They are not substantially identical. They are fundamentally different in areas that make this bill a flawed bill and in which, in my opinion, H.R. 2190 was not.

We are going to spend the better part of 2 hours talking about the specific differences in the bills. I think I can clearly demonstrate to you that there are far-reaching fundamental differences, for example, in terms such as "mandate" versus "option." I think that is fairly fundamental. Their bill mandates certain things that H.R. 2190 did not mandate.

But more importantly, I want to clear up the smokescreen. I want to make it perfectly clear to everybody that the failure of the majority to provide a motion to recommit with instructions is nothing more than pure partisanship.

□ 1420

The argument that this bill would die if there were a motion to recommit with instructions is simply not true.

Let us visit the mechanics of a motion to recommit with instructions. If that were made in order under the rule, I would provide conforming amendments to make S. 250 identical to H.R. 2190. You have already heard from this side of the aisle that H.R. 2190 was a bipartisan bill. It had support on both sides of the aisle. It passed the House with both Democrats and Republicans supporting it, but they do not want to provide a motion to recommit with instructions to make S. 250 identical to H.R. 2190.

Why? Their argument is that somewhere, somebody is going to filibuster against this bill. There is only one place in Congress that you can filibuster. That is in the other body.

If a motion to recommit with instructions were in this rule and it passed, the procedure would be that the bill would be reported immediately to the floor and we would vote on it. It would pass with bipartisan support. It would then be sent over to the other body. The other body could then vote yes or no in determining acceptance.

If the bills are virtually identical, why would any Democrat oppose the amended version of S. 250 back to H.R. 2190?

And if it is truly a bipartisan bill which passed the House with both Democrat and Republican support, why would not more Republicans over on the Senate side join in?

So when you try to present the logic that a motion to recommit with instructions somehow damages the chance of this bill, I am sorry, but you are carrying the water of particular factions who cannot stand this bill to be changed. There are factions on your side of the aisle that did not want the bipartisan agreement. They were successful in the other body in pulling out those provisions which made it bipartisan. You folks today, and I am sorry to say the gentleman from Washington is one of them, are carrying the water of these factions; which are purely partisan; which want an election eve issue; which want the President to veto this measure; and they are maximizing the chances for the President to veto this measure.

You are not interested in good law. If you were, you would have a motion to recommit with instructions.

You would give us the chance to go back to that bipartisan bill. All your arguments saying that you cannot give us that are phony, and you know it.

You want a partisan fight? You are going to get a partisan fight. You want a veto? You are going to get a veto.

I spent two years of my life trying to pass a good bill. I am sorry that you folks decided that political opportunism was more important than providing a solid, secure, bipartisan measure to expand the opportunity for people to register in the United States.

It is your fault that this measure is going to be vetoed, and no one else's. No matter what you say, no matter how you try to wiggle out of it, no matter how much you say a partisan confrontation between a partisan position on our side and a partisan position on your side is giving the American people a fair shot, no matter how much you talk about it, it is simply untrue.

Your opportunity to show true bipartisan workmanship was to provide a motion to recommit with instructions. You did not do it. Your cards are face up on the table. The is a pattern effort and everybody needs to know it.

Mr. WHEAT. Mr. Speaker, I yield 2 minutes to the gentleman from Tennessee [Mr. CLEMENT].

Mr. CLEMENT. Mr. Speaker, I rise in strong support of S. 250, the National Voter Registration Act. S. 250 would significantly expand the opportunity for citizens to register to vote, and then participate in the electoral process of our Nation.

The right to vote is a fundamental right guaranteed under the Constitution. Yet, 70 million eligible Americans are currently not registered to vote.

In Tennessee, my home State where we do not have a motor-voter program, voter turnout decreased 35 percent from 1986 to 1990. However, States with motor-voter programs saw significant increases in voter turnout. The increases in voter turnout from 1986 to 1990 ranged between 9 and 26 percent in States which instituted effective motor-voter programs.

In light of the serious decline in voter turnout in Tennessee from 1986 to 1990, Secretary of State Bryant Millsaps has been a leader in efforts to improve voter turnout in the State, and throughout the Nation.

I am particularly pleased that S. 250 would ease the voter registration process so that all Americans—including those disabled while fighting for our country—can participate in an important right of citizenship—the right to vote. Why would we want to keep the barriers in place that prevent disabled Americans from voting in elections? I wouldn't.

S. 250 is not a partisan bill. This is not a political vote. This is a bill that ensures the vitality and stability of our democracy.

Somebody said Mr. Speaker, "why should it be harder to register to vote than to apply for a driver's license?" Well, the simple answer is it should not be. It should not be. I urge my colleagues to vote for S. 250.

Mr. WHEAT. Mr. Speaker, I yield 5 minutes to the gentleman from Washington [Mr. SWIFT], the chairman of the Subcommittee on Elections of the Committee on House Administration.

Mr. SWIFT. Mr. Speaker, I thank the gentleman for yielding me this time.

I would like to clear up a couple of matters and then address the issue of bipartisanship.

An earlier speaker suggested that the agency provisions in this bill were somehow partisan. They are not, and let me explain what the rationale is in the legislation.

The bill does three things. It says you can register when you renew your driver's license. It says you can use postcard registration, and it says that in certain public agencies you can also be allowed to register.

The one that an earlier speaker objected to was the fact that in public assistance offices, unemployment offices, and the like, you would be able to register.

Now, stop and ask yourselves, who gets to register when they renew their driver's license? People who drive.

Who are the most likely people not to be able to take advantage of this major provision of the legislation, registering when you renew your driver's license? People too poor to own a car, the disabled who cannot drive, the elderly who no longer drive a car, and so in order to provide a means to those who would fall through the cracks left by the motor-voter provision, the bill would provide an extra opportunity to participate: Agencies where those people are most likely to show up were included in the legislation.

I have got to tell you that there is one reporter somewhere in Pennsylvania who keeps calling me up and saying, "Why do you support this legislation?"

And I tell him, and he says, "No, no, why do you support it as a Democrat?"

And I tell him, and he says, "Look, this is going to register a lot of Republicans. Do you know how many of those yuppies out there driving BMW's aren't registered to vote? You are going to register all those people."

The fact is this bill will. It is going to register a lot of Republicans and it is going to register a lot of Democrats and it is going to register a lot of independents who are not committed to either party, but when you take a look at the structure of this legislation and you look at it objectively, it is very hard to conclude that there is any partisan motivation whatsoever.

The other point that I would make with regard to the whole issue of partisanship is that this was a major bipartisan effort in the last Congress. A great deal of what is still in this bill was put there by hard, conscientious, honest work on the part of Republicans. Not everything they put in the bill, but most of what they put in the bill is still there, and yet when we came to the floor of the House the last time the opposition to the bill was no less than the minority leader himself.

When the bill passed anyway and went to the Senate, the filibusters were led by the Republicans.

And, when finally and at last they were able to overcome a filibuster so that a majority could rule in the Senate, it was sent over here. And what we have is a bill that was bipartisan to begin with, that is designed to register all Americans, not just Americans in one section or one age or one party. But it is a bill which has been assiduously opposed by Republicans in the other body and opposed in the form it passed this House, a form we have heard so much about being bipartisan, by the Republican leader.

We believe that a rule which says here is our bill and that gives the Republicans an opportunity to write their bill any way they want and then vote is a fair rule.

□ 1430

I urge support of the rule and yield back the balance of my time.

Mr. DREIER of California. Mr. Speaker, may I inquire of the Chair how much time remains?

The SPEAKER pro tempore (Mr. McNULTY). The gentleman from California [Mr. DREIER] has 5 minutes remaining, and the gentleman from Missouri [Mr. WHEAT] has 12½ minutes remaining.

Mr. DREIER of California. Mr. Speaker, I yield myself such time as I might consume.

And I do so in order to ask of the distinguished chairman: Since we are trying to encourage voter participation—the gentleman from Tennessee spoke earlier about how we are trying to encourage voter participation—I wondered if the subcommittee had taken under advisement the prospect of registering young people at high schools because we want to get young people involved in the voting process. My friend has talked about the issue of drivers' licenses and other offices, and I wonder if that was taken into consideration.

Mr. SWIFT. Mr. Speaker, will the gentleman yield?

Mr. DREIER of California. I yield to the gentleman from Washington.

Mr. SWIFT. I thank the gentleman for yielding.

Mr. Speaker, if I can remember the eagerness with which I wanted my first driver's license at the moment I turned old enough to get one, I suspect that I would be renewing my license about the time I was 18 and, thus, would be automatically registered. The direct answer to the gentleman's question is we did not consider that specifically but there is nothing in this legislation that would prevent States from doing that.

Mr. DREIER of California. Mr. Speaker, I have no further requests for time. I urge a "no" vote on the previous question and yield back the balance of my time.

Mr. WHEAT. Mr. Speaker, I have no additional requests for time, but I yield myself such time as I may consume to close debate.

Mr. Speaker, on a procedural basis, I would just like to remind my colleagues that the right to offer a substitute can accomplish the very same thing, legislatively, that a motion to recommit with instructions can. There is absolutely nothing that can be offered under a motion to recommit with instructions that could not be offered under the substitute.

Mr. Speaker, in closing, I would like to urge my colleagues to vote "yes" on House Resolution 480 and on the underlying bill. Passage of S. 250 will not cure all the ills of voter nonparticipation, but it will lower some of the barriers that confront Americans during the voting process.

Mr. Speaker, I yield back the balance of my time and move the previous question on the resolution.

The SPEAKER pro tempore. All time has expired.

The question is on ordering the previous question.

The question was taken, and the Speaker pro tempore announced that the noes appeared to have it.

Mr. WHEAT. Mr. Speaker, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

The SPEAKER pro tempore. Evidently a quorum is not present.

The Sergeant at Arms will notify absent Members.

The vote was taken by electronic device, and there were—yeas 256, nays 163, not voting 15, as follows:

[Roll No. 190]

YEAS—256

Abercrombie	Fascell	McNulty
Ackerman	Fazio	Mfume
Alexander	Feighan	Miller (CA)
Anderson	Flake	Minneta
Andrews (ME)	Foglietta	Mink
Andrews (NJ)	Ford (MI)	Moakley
Andrews (TX)	Ford (TN)	Mollohan
Annunzio	Frank (MA)	Montgomery
Anthony	Frost	Moody
Applegate	Gaydos	Moran
Aspin	Gejdenson	Morrison
Atkins	Gephardt	Mrazek
AuCoin	Geren	Murphy
Bacchus	Gibbons	Murtha
Barnard	Glickman	Nagle
Beilenson	Gonzalez	Naicher
Bennett	Gordon	Neal (MA)
Berman	Guarini	Neal (NC)
Bevill	Hall (OH)	Nowak
Bilbray	Hall (TX)	Oakar
Blackwell	Hamilton	Oberstar
Borski	Harris	Obey
Boucher	Hatcher	Olin
Boxer	Hayes (IL)	Oliver
Brewster	Hayes (LA)	Ortiz
Brooks	Hertel	Orton
Browder	Hoagland	Owens (NY)
Brown	Hochbrueckner	Owens (UT)
Bruce	Horn	Pallone
Bryant	Hoyer	Panetta
Bustamante	Huckaby	Parker
Byron	Hughes	Pastor
Campbell (CO)	Hutto	Patterson
Cardin	Jefferson	Payne (NJ)
Carper	Jenkins	Payne (VA)
Carr	Johnson (SD)	Pease
Chapman	Johnston	Pelosi
Clay	Jones (GA)	Penny
Clement	Jones (NC)	Perkins
Coleman (TX)	Jontz	Peterson (FL)
Collins (IL)	Kanjorski	Peterson (MN)
Collins (MI)	Kaptur	Pickett
Condit	Kennedy	Pickle
Conyers	Kennelly	Poshard
Cooper	Kildee	Price
Costello	Kleczka	Rahall
Cox (IL)	Kolter	Rangel
Coyne	Kopetski	Reed
Cramer	Kostmayer	Richardson
Darden	LaFalce	Roe
de la Garza	Lancaster	Roemer
DeFazio	Lantos	Rose
DeLauro	LaRocco	Rostenkowski
Dellums	Laughlin	Rowland
Derrick	Lehman (CA)	Roybal
Dicks	Lehman (FL)	Russo
Dingell	Levin (MI)	Sabo
Dixon	Lewis (GA)	Sanders
Donnelly	Lipinski	Sangmeister
Dooley	Lloyd	Sarpalius
Dorgan (ND)	Long	Sawyer
Downey	Lowey (NY)	Scheuer
Durbin	Luken	Schroeder
Dwyer	Manton	Schumer
Dymally	Markey	Serrano
Early	Martinez	Sikorski
Eckart	Matsui	Siskis
Edwards (CA)	Mavroules	Skaggs
Edwards (TX)	Mazzoli	Skelton
Engel	McCloskey	Slattery
English	McCurdy	Slaughter
Erdreich	McDermott	Smith (FL)
Espy	McHugh	Smith (IA)
Evans	McMillen (MD)	Solarz

Spratt
Staggers
Stallings
Stark
Stenholm
Stokes
Studds
Swift
Synar
Tallon
Tanner

Tauzin
Taylor (MS)
Thomas (GA)
Thornton
Torres
Torriceili
Towns
Traficant
Unsoeld
Valentine
Vento
Visclosky

Volkmer
Washington
Waters
Waxman
Weiss
Wheat
Whitten
Wyden
Yates
Yatron

RECORDED VOTE

Mr. DREIER of California. Mr. Speaker, I demand a recorded vote.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 264, noes 157, not voting 13, as follows.

[Roll No. 191]

AYES—264

Allard
Allen
Archer
Army
Baker
Ballenger
Barrett
Barton
Bateman
Bentley
Bereuter
Billrakis
Billey
Boehert
Boehner
Broomfield
Bunting
Burton
Callahan
Camp
Campbell (CA)
Chandler
Clinger
Coble
Coleman (MO)
Combest
Coughlin
Cox (CA)
Crane
Cunningham
Dannemeyer
Davis
DeLay
Dickinson
Doolittle
Dorman (CA)
Dreier
Duncan
Edwards (OK)
Emerson
Ewing
Fawell
Fields
Fish
Franks (CT)
Gallegly
Gallo
Gekas
Gilchrist
Gillmor
Girman
Gingrich
Goodling
Goss
Gradison

NAYS—163

Grandy
Green
Gunderson
Hammerschmidt
Hancock
Hansen
Hastert
Hefley
Henry
Herger
Hobson
Holloway
Hopkins
Horton
Houghton
Hunter
Hyde
Inhofe
Ireland
Jacobs
James
Johnson (CT)
Johnson (TX)
Kasich
Klug
Kolbe
Kyl
Lagomarsino
Leach
Lent
Lewis (CA)
Lewis (FL)
Lightfoot
Livingston
Machtley
Martin
McCandless
McCollum
McCrery
McDade
McEwen
McGrath
McMillan (NC)
Meyers
Michel
Miller (OH)
Miller (WA)
Molinari
Moorhead
Morella
Myers
Nichols
Nussle
Oxley
Packard

Paxon
Petri
Porter
Pursell
Ramstad
Ravenel
Regula
Rhodes
Ridge
Riggs
Rinaldo
Ritter
Roberts
Rogers
Rohrabacher
Ros-Lehtinen
Roth
Roukema
Santorum
Saxton
Schaefer
Schiff
Schulze
Sensenbrenner
Shaw
Shays
Shuster
Skeen
Smith (NJ)
Smith (OR)
Smith (TX)
Snowe
Solomon
Spence
Stearns
Stump
Sundquist
Taylor (NC)
Thomas (CA)
Thomas (WY)
Upton
Vander Jagt
Vucanovich
Walker
Walsh
Weber
Weldon
Wolf
Wylie
Young (AK)
Young (FL)
Zeliff
Zimmer

Abercrombie
Ackerman
Alexander
Anderson
Andrews (ME)
Andrews (NJ)
Andrews (TX)
Annunzio
Anthony
Applegate
Aspin
Atkins
AuCoin
Bacchus
Barnard
Bellenson
Bennett
Berman
Bevill
Billbray
Blackwell
Boehert
Borski
Boucher
Boxer
Brewster
Brooks
Browder
Brown
Bruce
Bryant
Bustamante
Byron
Campbell (CO)
Cardin
Carper
Carr
Chapman
Clay
Clement
Coleman (TX)
Collins (IL)
Collins (MI)
Condit
Conyers
Cooper
Costello
Cox (IL)
Coyne
Cramer
Darden
de la Garza
DeFazio
DeLauro
Dellums
Derrick
Dicks
Dingell
Dixon
Donnelly
Dooley
Dorgan (ND)
Downey
Durbin
Dwyer
Dymally
Early
Eckart
Edwards (CA)
Edwards (TX)
Engel
English
Erdreich
Espy
Evans
Fascell
Fazio
Feighan
Flake
Foglietta
Ford (MI)
Ford (TN)
Frank (MA)
Frost
Gaydos
Gejdenson
Gephardt
Geren

Gibbons
Gilman
Glickman
Gonzalez
Gordon
Guarini
Hall (OH)
Hall (TX)
Hamilton
Harris
Hatcher
Hayes (IL)
Hayes (LA)
Hertel
Hoagland
Hochbrueckner
Horn
Horton
Hoyer
Huckaby
Hughes
Hutto
Jacobs
Jefferson
Jenkins
Johnson (SD)
Johnston
Jones (GA)
Jones (NC)
Jontz
Kanjorski
Kennedy
Kennelly
Kildee
Kleczka
Kolter
Kopetski
Kostmayer
LaFalce
Lancaster
Lantos
LaRocco
Laughlin
Lehman (CA)
Lehman (FL)
Levin (MI)
Lewis (GA)
Lipinski
Lloyd
Long
Lowey (NY)
Luken
Manton
Markey
Martinez
Matsui
Mavroules
Mazzoli
McCloskey
McCurdy
McDermott
McHugh
McMillen (MD)
McNulty
Mfume
Miller (CA)
Mineta
Mink
Moakley
Mollohan
Montgomery
Moody
Moran
Morella
Morrison
Mrazek
Murphy
Murtha
Nagle
Natcher
Neal (MA)
Neal (NC)
Nowak
Oakar
Oberstar
Obey
Olin
Oliver

Ortiz
Orton
Owens (NY)
Owens (UT)
Pallone
Panetta
Parker
Pastor
Patterson
Payne (NJ)
Payne (VA)
Pease
Pelosi
Penny
Perkins
Peterson (FL)
Peterson (MN)
Pickett
Poshard
Price
Rahall
Rangel
Reed
Richardson
Roe
Roemer
Rose
Rostenkowski
Rowland
Roybal
Russo
Sabo
Sanders
Sangmeister
Sarpalius
Sawyer
Scheuer
Schroeder
Schumer
Serrano
Sharp
Sikorski
Siskis
Skaggs
Skelton
Slattery
Slaughter
Smith (FL)
Smith (IA)
Solarz
Spratt
Staggers
Stallings
Stark
Stenholm
Stokes
Studds
Swift
Synar
Tallon
Tanner
Tauzin
Taylor (MS)
Thomas (GA)
Thornton
Torres
Torriceili
Towns
Traficant
Unsoeld
Valentine
Vento
Visclosky
Walsh
Washington
Waters
Waxman
Weiss
Wheat
Whitten
Williams
Wilson
Wise
Wyden
Yates
Yatron

NOT VOTING—15

Bonior
Hefner
Hubbard
Levine (CA)
Lowery (CA)

Marlenee
Quillen
Ray
Savage
Sharp

Traxler
Williams
Wilson
Wise
Wolpe

□ 1454

The Clerk announced the following pair:

On this vote:

Mr. Bonior for, with Mr. Quillen against.

Mr. LANCASTER changed his vote from "nay" to "yea."

So the previous question was ordered.

The result of the vote was announced as above recorded.

The SPEAKER pro tempore (Mr. McNULTY). The question is on the resolution.

The question was taken; and the speaker pro tempore announced that the ayes appeared to have it.

NOES—157

Allard	Grandy	Petri
Allen	Green	Porter
Archer	Gunderson	Pursell
Arney	Hammerschmidt	Ramstad
Baker	Hancock	Ravenel
Ballegger	Hansen	Regula
Barrett	Hastert	Rhodes
Barton	Hefley	Ridge
Bateman	Henry	Riggs
Bentley	Herger	Rinaldo
Bereuter	Hobson	Ritter
Bilirakis	Holloway	Roberts
Bliley	Hopkins	Rogers
Boehner	Hunter	Rohrabacher
Broomfield	Hyde	Ros-Lehtinen
Bunning	Inhofe	Roth
Burton	Ireland	Roukema
Callahan	James	Santorum
Camp	Johnson (CT)	Saxton
Campbell (CA)	Johnson (TX)	Schaefer
Chandler	Kasich	Schiff
Clinger	Klug	Schulze
Cobie	Kolbe	Sensenbrenner
Coleman (MO)	Kyl	Shaw
Combest	Lagomarsino	Shays
Coughlin	Leach	Shuster
Cox (CA)	Lent	Skeen
Crane	Lewis (CA)	Smith (NJ)
Cunningham	Lewis (FL)	Smith (OR)
Dannemeyer	Lightfoot	Smith (TX)
Davis	Livingston	Snowe
DeLay	Lowery (CA)	Solomon
Dickinson	Machtley	Spence
Doolittle	Martin	Stearns
Dorman (CA)	McCandless	Stump
Dreier	McCollum	Sundquist
Duncan	McCrery	Taylor (NC)
Edwards (OK)	McDade	Thomas (CA)
Emerson	McEwen	Thomas (WY)
Ewing	McGrath	Upton
Fawell	McMillan (NC)	Vander Jagt
Fields	Meyers	Vucanovich
Fish	Michel	Walker
Franks (CT)	Miller (OH)	Weber
Galleghy	Miller (WA)	Weidon
Gallo	Molinari	Wolf
Gekas	Moorhead	Wylie
Gilchrest	Myers	Young (AK)
Gillmor	Nichols	Young (FL)
Gingrich	Nussle	Zeliff
Goodling	Oxley	Zimmer
Goss	Packard	
Gradison	Paxon	

NOT VOTING—13

Bonior	Levine (CA)	Traxler
Hefner	Marlenee	Volkmer
Houghton	Quillen	Wolpe
Hubbard	Ray	
Kaptur	Savage	

□ 1513

The clerk announced the following pair:

On this vote:

Mr. Bonior for, with Mr. Quillen against.

So the resolution was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

The SPEAKER pro tempore (Mr. McNULTY). Pursuant to House Resolution 480 and rule XXIII, the Chair declares the House in the Committee of the Whole House on the State of the Union for the consideration of the Senate bill, S. 250.

□ 1513

IN THE COMMITTEE OF THE WHOLE

Accordingly the House resolved itself into the Committee of the Whole House on the State of the Union for consideration of the Senate bill (S. 250) to establish national voter registration procedures for Federal elections, and for other purposes, with Mr. McDERMOTT in the chair.

The Clerk read the title of the Senate bill.

The CHAIRMAN. Pursuant to the rule, the Senate bill is considered as having been read the first time.

Under the rule, the gentleman from Washington [Mr. SWIFT] will be recognized for 30 minutes, and the gentleman from California [Mr. THOMAS] will be recognized for 30 minutes.

The Chair recognizes the gentleman from Washington [Mr. SWIFT].

Mr. SWIFT. Mr. Chairman, I yield 15 minutes to the gentleman from Michigan [Mr. CONYERS], and I ask unanimous consent that the gentleman from Michigan be allowed to control that time.

The CHAIRMAN. Is there objection to the request of the gentleman from Washington?

There was no objection.

Mr. CONYERS. Mr. Chairman, I yield myself such time as I may consume.

(Mr. CONYERS asked and was given permission to revise and extend his remarks.)

Mr. CONYERS. Mr. Chairman, I rise to acknowledge and thank the gentleman from Washington [Mr. SWIFT] for his long and arduous work in this regard on the bill that would move universal registration forward in this Nation. This might be called the "Al Swift Memorial Bill" because no one has worked harder and longer and with more dedication to the bipartisan conclusion that we have come to today. I am very pleased and grateful to the gentleman for sharing his time with me and allowing me to control this part of my time.

Mr. Chairman, the bill before the House is my piece of legislation that has now come over from the Senate. The time has finally come for us to move. It took a long time, Mr. Chairman. We have met and gone over this bill so many times. Many of the provisions that this Member would have fought for have been bargained out of the bill. Still it remains a good piece of legislation.

Some of the Members will fail to recognize that the idea of motor-voter is not exactly a brilliant new idea that has come across this Nation. There are some States that have had it for a number of years. We applaud that. We have all of the necessary restrictions that have been put in it before. Some of the Members on the other side of the aisle that were supporting me on a previous bill are not as eager as we move toward conclusion, but I am sure that can be explained.

We wanted funding, too, in this measure. I regret that it is not there, but it is a good opportunity to make an important statement to move voting, which is at an all-time low in this Nation, forward. I am very, very happy that this moment has come. It is a historic moment.

Let no one be deceived, this is a voter's rights bill. This bill is a civil rights measure. This bill goes toward

the heart of democratizing the electoral privileges of our American citizens, so it is in that spirit that I very proudly begin the debate on S. 250, the National Voter Registration Act.

Mr. Chairman, I reserve the balance of my time.

Mr. THOMAS of California. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, when H.R. 2190 passed this House in the last Congress my opening comments were:

Let me rise in support of a piece of legislation which is less than its critics have claimed it to be, and frankly, more than some of its supporters believe it to be. It is a piece of legislation which, although comprehensive at the Federal level, provides a significant amount of individual decisionmaking for States in areas where clearly the States should have that kind of individual decisionmaking.

Those were my opening comments in support of H.R. 2190, a bill which passed this House with a significant number of Republican as well as Democrat votes.

H.R. 2190 was a compromise. As in most compromises, there were wins and there were losses on both sides. As in most compromises, there was an evenhanded handling of difficult areas of conflicts. H.R. 2190 provided an outreach program. A portion of it is known as motor-voter. That was mandated. There was also an extension to other agencies. There were no specific agencies mandated, but rather a general charge that we open up the opportunity for people to register.

The other part of the evenhanded compromise was the acknowledgment that if we are going to add more people to the rolls through this outreach program, there should be a non-punitive method of voter verification. One of the growing difficulties in almost every precinct across the United States is the fact that Americans are very mobile. We move a lot. Aside from the difficulty in getting on the rolls is the virtual impossibility of removing people from the rolls.

□ 1520

And what we needed for an evenhanded bill, in my opinion, was an outreach program coupled with a voter verification program. H.R. 2190 provided that linkage, it provided additions to the rolls and nonpunitive removal from the rolls.

It is an interesting historical aside that in the committee, as we were discussing options for voter verification, ironically enough it was the gentleman from Washington who did not seem to be too disturbed about removing people for not voting. It was the gentleman from California who fought hard to make sure that people were not removed from the rolls simply because they did not vote. After all, there are a number of reasons why people would not vote, not the least of which would be the candidates offered to them. But the simple fact that

people do not vote should not be a reason for removing them from the rolls.

So what was put in place was a procedure which guaranteed that people who had died or moved away would be removed from the rolls. Now, this is an unprecedented intervention into the States' decision of who could vote. There are some who would challenge its constitutionality. I believe the Federal Government has the ability to make these decisions.

Both the outreach program and the voter verification program were mandated, not in specifics, not dictating to the States, as I said in my opening remarks to H.R. 2190, but leaving a degree of discretion to the States, where we believed it was appropriate. But the general concept of outreach and the general concept of voter verification were mandated. And because the Federal Government mandated, we thought it was incumbent upon us to place money in the bill to pay for these federally mandated programs. That also was somewhat unprecedented in recent years.

For Members to stand up and say that S. 250 is substantially the same as H.R. 2190 is to deny that fundamental structure of the compromise. In S. 250 not only is the outreach mandated, not only does it specify certain agencies, but it goes on to the point that in those specified agencies the clerk or the staffer has to fill out the form as though it were the unemployment form or the welfare form. They have to take pen in hand, if necessary, and go item by item over the voter registration structure. It is mandated down to the checkpoint and the column, but there is no requirement whatsoever in this bill that the State perform a voter verification procedure. There is fuzzy language. Clearly there is no money provided for what was part of the bipartisan compromise.

So when someone says that S. 250 is almost like H.R. 2190, Madison Avenue is crying out for you folks, because the way in which you advertise and package an item is desperately needed on Madison Avenue. When you say S. 250 is substantially the same as H.R. 2190, it is like saying radio is like TV, except without the pictures. There is a fundamental difference. Something was lost between the bipartisan passage of H.R. 2190 and the return of the partisan S. 250.

Why do I say something was lost? It is pretty obvious. The Democrats wrote a rule which would not allow a historical offering under the rule of a motion to recommit with instructions. They bent the rules to make sure that we could not return to H.R. 2190. They are adamant, even though the bill does not go into effect until 1994, in shoving it to the President in this election season. They are willing to break the bipartisan working relationship that we had on H.R. 2190 to shove it to this President.

It bothers me a lot that a program that started out cooperatively, that worked, that actually produced a bill that has a majority of the Republican leadership in support of it to this day, and on which someone who worked hard as a cosponsor in passing the legislation has to stand up and oppose it.

We will go through and examine some specific areas in which S. 250 mandates the Federal Election Commission to regulate the States. For example, S. 250 requires a uniform form to be imposed on every State. Under H.R. 2190 there was a general understanding of the direction that was needed to be taken, but the individual States could conform and construct the procedures that best fit their needs.

Is there any money in the bill for the mandated FEC role of dictating forms? Of course not.

So when examining the differences between the two bills, my worthy opponents will tell Members that there is not much difference, and that it is basically the difference between mandating and allowing. It is a difference between funding and not funding. I can understand why some Members do not think that is much of a difference. I can tell you the American voters and the State officials believe it is a great difference.

I happen to come from the largest State in the Union. I come from a State with more than 30 million people. I come from a State whose secretary of state is a Democrat. I come from a State in which Democrats and Republicans have operated a number of outreach programs. We have registration by mail, we have registration where you come into a fast-food establishment, we use State agencies, we use Federal agencies, we blanket in an attempt to try to register people to vote. The secretary of state of California, March Fong Yu, opposes S. 250. She is not with you in this attempt to mandate to the States, without funding, a voter registration program. You are doing your best to continue the mask of bipartisanship in moving forward a voter registration bill. But I can tell you as one of the key principals in putting together a truly bipartisan bill that passed this House, you are not successful. The difference between mandating and allowing, the difference between funding and not funding is fundamental.

S. 250 is a sham. It deserves to be vetoed, and it will be vetoed. And after this election, those of you who plan to be back, I will be willing to sit down and work with you once again, as we did in the previous Congress, to put together a bill that is truly bipartisan, that we can move to a Republican President so that he can sign it. That is my offer to you, and until then, if all you can offer back are these kinds of partisan documents, then I can tell you a veto is what you are going to get, and a veto is what you deserve.

Mr. CONYERS. Mr. Chairman, will the gentleman yield for a brief question?

Mr. THOMAS of California. I will yield on your own time. The gentleman has time.

Mr. CONYERS. I will yield myself such time as I may consume.

Mr. Chairman, did I hear the gentleman correctly when he said that the President might, or would, veto a voter rights measure at this particular time of the season? Is he going on what he hopes, or does he have reliable information to bring to the Congress, as we vote on this very important matter? I would be pleased to yield to my colleague.

Mr. THOMAS of California. If the gentleman will yield, I would tell the gentleman, as he probably well knows, that the President has said that if the bill is sent to him in its present form, mandating on the States without any funding, the kind of procedures in S. 250, the President's senior would recommend a veto.

Mr. CONYERS. OK. Is this in writing on Capitol Hill, and would a copy be made available to this Member who played a small role over the last 5 years in this legislation?

Mr. THOMAS of California. The letter is dated June 16, and the gentleman can certainly have a copy if he does not have one, or if his friends on that side of the aisle do not have one.

Mr. CONYERS. I thank the gentleman. I was not sent one, but I can hardly believe my ears that the White House would veto this bill.

Mr. Chairman, I reserve the balance of my time.

□ 1530

Mr. THOMAS of California. Mr. Chairman, I will tell the gentleman that not only is the President going to veto it, I will repeat what I said: "The Democratic secretary of state of the State of California opposes S. 250 as well."

Mr. Chairman, I reserve the balance of my time.

Mr. SWIFT. Mr. Chairman, I yield 2½ minutes to the gentleman from Maryland [Mr. HOYER].

Mr. HOYER. Mr. Chairman, I rise today I strong support of S. 250, the National Voter Registration Act. The bottom line, my colleagues, is that America needs this bill. Our Government is quickly becoming a nonparticipatory democracy.

Only 61 percent of the eligible voting age public is registered to vote. As a result, our Nation has the worst voting participation rate of the world's major democracies. Clearly, America, the model of democracy to the world, can and should do better.

Our Nation places too many barriers in the way of its citizens. Voting, some of these barriers are procedural and some are physical and attitudinal. The bill before us today encourages greater registration while still protecting the

electoral system from fraud and misuse.

Because ours is such a mobile society, the reality is that people change their addresses and driver's licenses very often. By utilizing these and other access points to the public system, we greatly increase the chances that first, people will register to vote; and second, that voting lists will be more regularly updated and corrected.

Furthermore, in addition to retaining current protections against fraud, this bill also requires every applicant to sign an oath under penalty of perjury, that he or she is eligible to vote.

There are some who are criticizing the procedures under which this bill is coming to the floor. Yet, by coming to the floor today, we are ensuring that this bill will be sent to the President's desk where it belongs and where it should be signed. Further congressional review would be dilatory and unnecessary.

S. 250 was passed by the Senate by a vote of 61-38. Very similar legislation was approved by the House in 1990 by a vote of 289-132. The changes in the Senate bill were added to provide greater flexibility to the States, which many critics of the earlier bill had called for.

The Senate added some very important changes to remove physical and attitudinal barriers to voter registration. I would like to spend a moment concentrating on those changes. As I have already stated, voter registration and participation is too low for too many Americans. But there is one group of Americans whose experience makes it even less likely that they will register or that they will vote, despite a strong interest to do so.

Several important changes to help these individuals with disabilities better access the system are included in S. 250.

Disabled Americans vote at a rate 12 percent lower than nondisabled Americans. Furthermore, they register at a rate that is six points lower than the general population.

Physical disability is often the reason cited for not registering to vote. One-half of all nonvoters over the age of 65 cited that reason. Furthermore, 50 percent of the nonvoting and non-registered disabled say that they would like to participate more. S. 250 provides a way for them to do so.

In the Elderly and Handicap Accessible Polling Place Act of 1984, Congress took steps to ensure that disabled Americans could get to and vote at the polling place. But we must go back to the first step—registration. That is exactly what S. 250 does by providing that offices which receive State funds and who are primarily engaged in providing services to persons with disabilities, must offer voter registration services during intake procedures, recertification procedures, and change of address procedures.

Even more importantly for persons with disabilities, if the service is provided in an individual's home, the agency representative who actually goes to the home, must assist with voter registration. As in other sections of the bill, the client is guaranteed the right not to vote and is protected from coercion or harassment by the agency's personnel.

The procedures provided in the bill, which appears so simple and straightforward, are critical to reaching out to disabled Americans and allowing them to be part of the democratic process.

Our Nation, with the strong support and leadership of the current administration, has resoundingly said that people with disabilities must be part of mainstream America and that if it takes changes to do it, then changes will be made. Well, S. 250 includes some of those changes. They are reasonable, they are responsible, and most importantly, they are necessary.

I am greatly saddened that the substitute offered by the distinguished minority leader, does not include these important provisions. I was there to watch President Bush, with great pride, sign the Americans With Disabilities Act into law. Surely, so soon after its enactment, we would not want to ignore the goal of that act.

Too often in our history, the disabled have been forgotten. Now, America has started to say no more to that mode of thinking. At this time, on this bill, say yes to allowing Americans with disabilities the means and the opportunity to exercise the most sacred right America offers.

I encourage my colleagues to support this bill and take an important step toward ensuring America's future as a participatory democracy.

Mr. THOMAS of California. Mr. Chairman, I yield such time as he may consume to the gentleman from California [Mr. DOOLITTLE].

(Mr. DOOLITTLE asked and was given permission to revise and extend his remarks.)

Mr. DOOLITTLE. Mr. Chairman, I rise in opposition to this bill.

I rise in strong opposition to this legislation. Increasing voter registration is a noble goal, but this measure falls far short of the mark. Let's consider the facts:

This bill not only invites fraud—it virtually guarantees it. The Justice Department has reviewed the measure and deemed it "fraught with the potential for fraud * * * and electoral corruption."

This bill does not mandate any program to verify an applicant's address. There is no provision to ensure accurate, current voter registration lists, and there is an unreasonably strict limitation on standard means of purging old lists.

By targeting State offices which provide public assistance, the bill creates an unacceptable bias, one which is bound to result in partisanship. Why are such entities as public schools, libraries, marriage license bureaus, and the offices of city and county clerks not included?

This bill would run roughshod over traditional States' rights and impose unreasonable new costs on those States. It requires the Federal Election Commission [FEC] to prescribe such regulations as are necessary, without compensating the States for any increased costs.

The only way for a State to avoid unwanted new costs would be to allow election day registration, another step down the road to fraud.

Finally, this bill has never seen the light of day in committee. In comes to the floor only by bypassing the hearing process.

I strongly support the concept of simple, honest, accurate voter registration. But S. 250 is not the answer. Instead, it guarantees only partisanship, fraud, and wasteful spending. I urge its defeat.

Mr. CONYERS. Mr. Chairman, I yield 3 minutes to the gentleman from Georgia [Mr. LEWIS], the distinguished deputy majority whip, and, Mr. Chairman, the fact is that the gentleman from Georgia [Mr. LEWIS] has marched in many voter registration drives, was a leader in the march in many voter registration drives, was a leader in the march on Washington in 1963, and has created a career as a civil rights and voter rights leader in America.

Mr. LEWIS of Georgia. Mr. Chairman, I thank the gentleman for yielding me this time.

Mr. Chairman, I rise today to urge Members of this body to support S. 250, the National Voter Registration Act.

As elected officials, we have a responsibility to encourage citizens to vote. We also have an obligation to protect their voting rights.

Before they can vote, they must register to vote. The reality is that it is not always easy or convenient to register to vote.

This legislation would make it easier and more convenient for millions of Americans to register to vote. It would increase voter participation in the political process.

We have an opportunity to expand democracy by supporting the National Voter Registration Act. As we all know, the United States has the lowest rate of voter turnout among the world's major democracies. In the 1988 Presidential election, turnout fell to 50 percent, the lowest turnout in the past 64 years. That figure is a function of the fact that only 61 percent of the eligible voting age population is actually registered to vote in this country.

Only 61 percent are registered to vote. Only 50 percent actually voted.

With this kind of voter turnout, America is becoming a government, of, for and by a few—a few who can afford to take time off from work to register, or the few who have transportation to travel long distances. Many people in rural areas must travel 50 or 60 miles to the county courthouse to register to vote.

The major barrier to voter participation is registering to vote. When you

ask people why they do not vote, they say that registering to vote is a hassle. It is not convenient. Registration facilities are located in a few, out-of-the-way places. Registration hours conflict with work hours.

This bill makes it possible for people to register to vote where they work, where they get their drivers' licenses, where they do business, and by mail. It also makes it easier for disabled Americans to register to vote.

Mr. Chairman, more Americans want to vote.

Mr. Chairman, when more Americans have an opportunity to vote, it will renew the strength and vitality of our democracy.

In 1965, to be exact on March 15, 1965, Lyndon Johnson, the President of the United States, stood right behind me at this podium and endorsed the Voting Rights Act of 1965. At that time in our country, hundreds and thousands and millions of our citizens could not register to vote simply because of color. That act was passed by Congress and signed into law on August 6, 1965, and opened the doorway, made it possible for millions of people to become registered voters. That was a great step. By passing this act today is another significant step to open up the political process and letting all of our citizens come in and participate.

This is a good bill. It is the right thing to do.

I strongly urge you, my colleagues, to support S. 250, the National Voter Registration Act.

Mr. THOMAS of California. Mr. Chairman, I yield 5 minutes to the gentleman from Louisiana [Mr. LIVINGSTON], the ranking member of the Subcommittee on Elections of the Committee on House Administration, who, as ranking member of that subcommittee, has not had a chance to review this legislation.

(Mr. LIVINGSTON asked and was given permission to revise and extend his remarks.)

Mr. LIVINGSTON. Mr. Chairman, I rise in opposition to S. 250. While I strongly support increasing voter registration and encouraging participation in the electoral process, I do support expensive Federal mandates which promote fraud.

This bill contains much more than the motor-voter provisions implied by the bill's nickname. S. 250 requires the States to implement mail registration, with registration at welfare and unemployment offices, and encourages States to adopt election day registration. All in a costly Federal mandate with no funding to help the States comply with big brother's wishes.

This is not a serious bill. The Democrats have done a great job of loading this turkey up with every fraud-inducing provision possible to gain a certain veto.

Coming from Louisiana, I know something about election fraud. There have been several celebrated voter fraud cases in Louisiana in recent history. One case occurred in my home district. Therefore, I am very concerned about

legislation which would open the door to widespread fraud.

The very purpose of voter registration laws is to ensure the integrity of the elections process. This bill would jeopardize that integrity by opening the way for fraud. S. 250 requires the States to accept registration by mail, while simultaneously forbidding the States from requiring notarization or other formal authentication. So, just mail it in. Popeye can register, Porky Pig can register. What the heck, register your cat.

The bill also requires the States to provide registration at unemployment and welfare offices, but fails to include public schools, libraries, city and county clerks, and other bipartisan locations. Clearly, registering more Democrats is the intent of this bill. Applicants for public assistance could be highly susceptible to coercion by public officials, or to the perception that their benefits were linked to registering for the right party.

In 1991, the St. Louis Post Dispatch reported an ongoing investigation into allegations that public assistance employees were routinely registering public assistance applicants, suggesting who they should vote for, and even taking them to the polls. These cases will increase as we require every welfare official in every State to register welfare recipients.

This bill contains a provision that is either a glaring loophole or a devious attempt to undermine the entire voter registration system. Section 4 of S. 250 states that the act does not apply to a State if all voters in the State may register to vote at the polling place at the same time of voting in a general election for Federal office. Therefore, if the States do not want to comply with the costly and onerous mandates of S. 250, they simply must allow election day registration. Merging the registration and the voting process into one simultaneous act would totally preclude meaningful verification of voter eligibility. This is truly a farce. This is not a motor-voter bill, it is an election-deception bill that in effect does away with the voter registration.

The States have every right to implement these new voter procedures if their State legislatures approve them. In fact, 17 States have adopted some form of registration while applying for a driver's license. However, the great things promised by the supporters of motor-voter have not been fulfilled. The non-partisan Congressional Research Service studied the changes in voter participation resulting from enacting motor-voter registration systems prior to the 1988 Presidential election, eight States displayed declines in the percentage of voting age populations voting in elections after the adoption of motor-voter registration.

No wonder the Senator from Kentucky, the chairman of the Senate Rules and the Sponsor of S. 250, stated on the Senate floor on May 19, 1992, that, "This bill has never purported to increase voter turnout. It never has." Well, then why the heck are we risking all this fraud if we aren't going to increase voter turnout.

Supporters would have you believe that the bill has a program for removing ineligible voters. However, the bill only says that the States shall conduct a general program that makes a reasonable effort to remove ineligible voters. This general and reasonable program may not remove a name for not voting. It may

not remove a name unless the registrant requests removal in writing or fails to respond to a mailed notice and does not vote in two general elections. In other words, the States can have a voter removal program but it cannot have any teeth.

Human Serve, a group opposed to removing names from voter lists, wrote about S. 250 that:

Even though people drop off the driver/ID or human service agency lists, they will not be struck from the voter registration lists. First, the act provides that addresses must be checked by mail notices. And even if that suggests people have died or moved, they still will not be purged. * * * It is hard to see how people could be given greater opportunity to keep their registration status current.

I agree. It is also hard to see how a State could maintain reliable voter lists under this graveyard voter registration act.

This so-called motor-voter bill opens up numerous avenues for voter fraud and causes a hearty case of sticker shock for the States who must pay for it. It prevents States from verifying their voter lists and CRS says it won't increase turnout. In short, it is a bad bill which will undermine the integrity of the electoral process. I urge my colleagues to vote against S. 250 and in support of the Republican substitute.

Mr. Chairman, I am submitting a formal statement for the RECORD, but at this point I would like to make some informal comments at this time. The gentleman that preceded me yields to no one in advocacy of civil rights. He is a civil rights hero in this Nation.

In 1965, because of his efforts and many others in this Chamber and others throughout America, the sacrifices that they made came to fruition, and we passed the 1965 Voting Rights Act.

Today American citizens are free to vote. They are free to register. They are free to go to the polls and cast their ballots for the candidates of their choice. But they are also free not to vote. They are also free to decline to cast their ballot, unless, of course, we pass this law which binds them to register, intimidates them to register, and induces individuals to take advantage of the electoral process.

□ 1540

Human Serve, a group advocating this legislation, is opposed to the removal of name from the voter list.

Now, when people die, you would think they should have their names removed from the voter list. When people move away, they should have their names removed from the voter list. When people for some reason or another choose not to go to the polls and exercise their privilege of voting, perhaps they should have their names removed from the voter list; but Human Serve says no.

They also said,

Even though people drop off the driver ID or Human Serve Agency list, they will not be struck from the voter registration list under this legislation.

First, the Act provides that the addresses must be checked by mail notices. And even if that suggests people have died or have moved, they still will not be purged. It is hard to see how people could be given a greater opportunity to keep their registration status current.

I agree with that, because if this provision passes, Lord knows you could stand on your head in an insane asylum for years and years and still be registered, even though you never left the place. You would still be registered to vote, and if somebody wanted to take advantage of your registration and go in and cast your ballot for you, they could do it. It would not take much.

This bill tramples on States rights, Mr. Chairman. The Justice Department asserts that S. 250 would deny the States their historic freedom to govern the electoral process and questions whether or not the bill is even constitutional.

They point out that if this bill passes, it would usurp the rights of States to govern their own election process.

Throughout the history of this country and certainly since the 1965 Voting Rights Act was passed, States have the right to govern their own voter registration system. This bill would change that. Proponents would say you have to abide by Federal mandate in each and every State, that you have to provide for same-day registration, that you have to register people under circumstances proscribed by Federal law.

Even though such Federal mandates would cost the States an incredible amount of money to implement, they have still got to do it. They are forced to do it.

Freedom is taken away from the States, and the boot of Big Brother is imposed upon the States to implement this legislation.

Now, 10 States alone have estimated that the mandates in this bill would cost \$87.5 million to implement the provisions. Many States are already running record deficits, but that does not matter. They will be forced to live by Federal rules.

If this legislation were to pass, we would require the Federal Election Commission to regulate each and every State. That means a big bloated bureaucracy would be looking over the registrar's shoulders to make sure that they are doing what Big Brother said they should do.

The FEC would prescribe such regulations as are necessary to carry out the act. They would generate universal voter registration application forms. And they would require each State to live by their article.

In other words, the Federal Government in Washington would prescribe the rules which the State must follow and the hoops through which they must jump.

Now, there are several other mandates, though. This bill requires that

people be entitled to register by mail. It also specifically designates registration at welfare offices and also encourages same-day registration; that is, you walk in and you say that you have a driver's license, you want to vote at this particular poll. After all, if you have a driver's license, you should be able to vote.

The CHAIRMAN. The time of the gentleman from Louisiana [Mr. LIVINGSTON] has expired.

Mr. THOMAS of California. Mr. Chairman, I yield 2½ additional minutes to the gentleman from Louisiana.

Mr. LIVINGSTON. What that means, Mr. Chairman, is that it is going to be incredibly easy to walk into the polls and to cast a ballot—anytime you want.

Now, is that good or bad? I think certainly people should have as few restrictions on them as possible. But that ought to be regulated by a State. Some States already have many of these provisions, and that is fine. If they want to do that, let them do it; however, I might also add that for those States that have such provisions, the turnout at the polls is not necessarily increased, as the gentleman from Georgia [Mr. LEWIS] was concerned about. Actually, States with mail-in registration show decreases in turn out rates after the introduction of mail registration procedures.

More States with motor-voter registration systems showed declines in voter turn out rates after the adoption of motor-voter registration procedures. So a motor-voter bill is not necessarily going to increase turnout.

If people do not want to vote, they are not necessarily going to vote because of this legislation. But, this bill is going to increase the possibility of fraud.

My own district 16 years ago was involved in a case of fraud, not by me, but other people involved in the election were involved in fraud. Several people ended up going to prison.

Fraud exists. If people want to take advantage of the current system, they can do so, but by passage of these Federal mandates, we will make it very easy for people who want to take advantage of the system to induce people to go to the polls and cast ballots even though they are not legally entitled to do so. That is going to undermine democracy.

Mr. Chairman, I urge this House to reject this bill, because if we are going to make it easier to destroy democracy and allow people to cast invalid votes, then we are not about serious business in this House.

Mr. Chairman, I urge rejection of this bill.

Mr. SWIFT. Mr. Chairman, I yield 2 minutes to the gentleman from Wisconsin [Mr. KLECZKA].

Mr. KLECZKA. Mr. Chairman, first of all, I would like to thank the gentleman from Washington [Mr. SWIFT] for yielding me time on this very important issue.

Mr. Chairman, I rise today in strong support of S. 250, the National Voter Registration Act.

I would first like to compliment the author of this legislation, Mr. CONYERS, and the chairman of the House Administration Elections Subcommittee, Mr. SWIFT, for their continued dedication to this cause.

As a member of the campaign finance reform task force, which brought H.R. 3750, the Election Reform Act of 1991, to the floor late last year, I have spent a great deal of time over the past year and a half exploring the problems of our current set of election laws. While there are partisan differences on many issues, one point that cannot be argued is that voter turnout is too low, and that Congress must do everything in its power to bring the people back into the electoral process.

The object of this bill is an area of deep concern, not only to those of us who serve in this Chamber, but to every American who marks a ballot. For this bill ensures that every one has an equal and unobstructed chance to cast their vote for Federal office holders.

While we have come a long way from the days of poll taxes and literacy tests, a maze of inhibiting local laws and procedures—often as restrictive as these outlawed practices—remains intact.

My home State of Wisconsin has been one of the most progressive in eliminating barriers to the polls. Since 1976, Wisconsin has been among the three States that offer election day registration at the voting site. I am proud to say that it has ranked among the top four States in voter turnout in each of the last four presidential elections.

And according to our State elections board, there has not been a single report of voter fraud in that time.

I am confident these statistics are due, in part, to the access to the polls Wisconsin provides its voters. Voting records, tabulated by the Congressional Research Service, show that States with the election day registration—clearly the most far-reaching registration system—average nearly 14 percent higher turnout than States without it. While S. 250 does not have a national same day registration requirement, a goal I hope this Nation will some day reach, I believe this bill will greatly increase accessibility to the polls and voter turnout.

It is generally accepted that between 75 and 80 percent of those citizens who are registered vote in Presidential elections. However, only about 61 percent of the eligible voters are registered. Thus, even a relatively good turnout of registered voters will only produce an overall participation rate in the low 50 percent range.

Statistics from the Department of Transportation indicate that approximately 87 percent of the population 18

years and older have driver's licenses. Furthermore, 3 to 4 percent of the adult population have identification cards issued by State motor vehicle agencies. So essentially 90 percent of the population 18 years or older—many of those coming from demographic categories least likely to be registered—would be reached by this procedure.

Mr. Chairman, over 150 years ago, when the Congress passed laws allowing non-land owners to vote, it took the first steps toward the enfranchisement of all Americans.

We can be part of this enfranchisement process today by voting for S. 250, and bring the process of democracy to more of our citizens.

Mr. Chairman, Congress not only has the right, but the duty to make Federal elections as accessible as possible.

I believe S. 250 takes a strong step toward fulfilling that duty. I urge my colleagues to join me in supporting the National Voter Registration Act.

Mr. CONYERS. Mr. Chairman, will the gentleman yield?

Mr. KLECZKA. I yield to the gentleman from Michigan.

Mr. CONYERS. First of all, Mr. Chairman, I want to commend the gentleman as a distinguished member of the Committee on Government Operations, but to point out that his State and other States have same-day registration which he strongly supported and was in the previous bill. It was compromised out. That does not mean it will not be coming as soon as we can bring it in.

Mr. KLECZKA. Well, in response to the gentleman, the previous speaker indicated that this system, this motor-voter system, with the other registration could have the effect of decreasing voter participation, and I say that is clear nonsense. I think the more we open up the system, the more participation that we will see.

Again let me repeat, the State of Wisconsin with its on-site registration has on average nearly 14 percent higher turnout than States without it, so let us not kid anyone. If we do not want people to vote, let us eliminate elections and we will be appointed for life by some higher body.

It seems to me that the minority party fears people voting in this country, and with the President's threatened veto, I think that is very sad.

Mr. THOMAS of California. Mr. Chairman, I yield myself such time as I may consume.

Let us make sure that we do not get carried away with the rhetoric here about who is for people voting and who is not.

This gentleman cosponsored a bill which was a major outreach bill. One of the fundamental differences between the bill the Republicans supported and this bill is that we believe that if you mandate requirements to the States, you should pay for them.

□ 1550

There is no question that the Democrats are not familiar with this concept, that if the Federal Government mandates there should be dollar amounts tied to it. There is no question that you folks have a clear history of Federal mandates with no funding. I understand that.

One of the things we tried to do in the compromise was to get you to understand that if we are going to have States cooperating in this effort, that if we are going to mandate States, we should fund it. You have failed to understand that point that was in H.R. 2190. It is not in S. 250.

The gentleman from Maryland talked about the fact that this was an outreach to disabled. There are clear, specific requirements for outreach in S. 250, to those on welfare, unemployed, and the disabled. Not only is there an outreach to those who are disabled who come into the State agency, but if the State agency offers programs for the disabled that are in the home, this bill mandates that it be done in the home as well. Is there anything wrong with that? No, of course not. But if we mandate it, should we pay for it? Yes.

That is one of the fundamental flaws with your approach. You simply want to order, you want to dictate, you want to require, you want to mandate; you just forget one other word, and that is "fund."

In H.R. 2190, mandating and funding went together.

In S. 250, a classic partisan document, you mandate with no funding.

Mr. Chairman, I reserve the balance of my time.

Mr. SWIFT. Mr. Chairman, I yield 2 minutes to the gentleman from Kentucky [Mr. MAZZOLI].

(Mr. MAZZOLI asked and was given permission to revise and extend his remarks.)

Mr. MAZZOLI. I thank the chairman for that generous yielded time.

Mr. Chairman, I rise in very strong support of his bill. As the gentleman knows, it was authored in the other body by the senior Senator from Kentucky, Senator FORD.

I am for the bill because it strikes a blow for better voter registration, for better voter turnout, which I think would result from better voter registration, and, with better turnout, I am voting for better government.

I would also hasten to add my support for the gentleman from Washington's campaign finance reform bill, which the President vetoed. I think as a total package of making government receive the people's attention, I think that that bill more accessible and more prone to ought to pass at some stage.

Using my own State of Kentucky as a case in point, Mr. Chairman, only 17 percent of the eligible Kentuckians voted in the May primaries. Only 30 percent of eligible Kentuckians voted in last November's general election.

Some 800,000 Kentuckians are not even now registered.

This bill makes a modest step in that direction by allowing people to register to vote when they get their licenses, auto licenses, allows people to register to vote at public places like schools and libraries and also establishes a uniform system of mail-in voter registration, which we also have in Kentucky.

Mr. Chairman, some say that people do not vote because they are content and satisfied; others say people do not vote because they are disaffected and alienated. But among the reasons people may not vote is the difficulty to register, and this bill helps correct that. Part of what we should do as public people and what our public policy ought to be is 100 percent voter registration, 100 percent voter participation. This bill makes a step in that direction.

I am very much for the bill, and I hope this House resoundingly passes this into law.

Mr. CONYERS. Mr. Chairman, Democrats, Republicans, and Independents support this measure. One of the Independents who serves with great distinction on the Committee on Government Operations is the gentleman from Vermont [Mr. SANDERS], to whom I yield 2 minutes.

(Mr. SANDERS asked and was given permission to revise and extend his remarks.)

Mr. SANDERS. I thank the chairman for yielding this time to me, and congratulations to him for his work over the years on this important issue.

Let us be clear what we are talking about this afternoon. What we are talking about is the most fundamental and important issue that this institution can address, and that is whether or not we are satisfied that the United States of America today is at the bottom, the bottom of the list of industrialized nations in terms of voter turnout? Are we happy that last congressional elections, two-thirds of the American people did not vote and the estimate is that this presidential election half the people will not vote? Are we happy that 90 percent of poor people do not vote and 3 out of 4 young people do not vote?

What this issue is about is opening the doors of democracy to all of our citizens, to make it as easy as possible for all people, for the young, for the poor, for the working people to participate in the political process.

When this country was formed, it was rich, white men who could vote, and people struggled; then it was all white men. Then finally, after women fought very hard, it was women as well. And after minorities and blacks fought very hard, we allowed black people the right to vote.

What this legislation says is that if you are an American citizen, if you are over 18 years of age, you should vote.

the door is open to your voting, we want you to vote.

If you believe in democracy, if you believe in the right of people, all people, to control the future of this country, we must support this legislation.

Mr. Chairman, I urge a strong "yes" vote.

Mr. THOMAS of California. Mr. Chairman, I yield 3 minutes to the gentleman from Wyoming [Mr. THOMAS].

Mr. THOMAS of Wyoming. I thank the gentleman for yielding this time to me.

Mr. Chairman, I rise in opposition to this bill, and it is always a treat to rise right after my friend from Vermont because we discovered that we do not agree on much of anything. And that is true also in this case.

One of the reasons, Mr. Chairman, that people are not voting is because the Federal Government has their nose in everybody's business. I think that is part of the process here.

So if we want to deal with voting, it seems to me we ought to deal with it on the level where people live, and that is what I object to.

Mr. Chairman, I rise in opposition to the bill. There are real questions of workability of the plan. There are real questions about the cost to the local offices that do this. I think there is question about insuring it is free from fraud.

But the real reason that I rise is the notion that other than the idea that we ought to protect the civil rights of everyone for an opportunity to vote and not to be barred from voting is this ought to be an issue of local government. I am a little surprised at my friend, who comes from being a mayor and from local governments, that he wants to turn this matter of registration and qualifying for voting over to the Federal Government.

So I think we do a pretty darned good job in Wyoming. We have people that can come in and register, we register in the primary, there is no problem with registering. You can register as you vote. If you are handicapped, people will come and bring your registration for you.

We think it is a pretty good deal.

Mr. SANDERS. Mr. Chairman, will the gentleman yield?

Mr. THOMAS of Wyoming. Let me finish my enthusiasm for what you spurred me on to here first.

We are talking to the voting election officers in our State, the secretary of state, the county clerks, who do not think that this is a necessary item and indeed do not believe it ought to be, that the folks in this room or any other room in Washington know any more about registering voters than they do, and indeed will not do a better job.

Mr. SANDERS. Mr. Chairman, will the gentleman yield?

Mr. THOMAS of Wyoming. I yield to the gentleman from Vermont.

Mr. SANDERS. I thank the gentleman for yielding.

Mr. Chairman, in terms of how well States do, let me ask the gentleman a question: If 3 days before an election, a voter suddenly becomes interested in the issues of the day or a particular candidate, walks into a local board in Wyoming and says, "I am ready to vote, I want to vote," can that voter vote?

Mr. THOMAS of Wyoming. You cannot vote unless you have registered in the primary.

Mr. SANDERS. So what the gentleman is saying is that in the heart of the political season, when people are most attuned to the political process, they cannot vote?

Mr. THOMAS of Wyoming. I am saying that the political process goes beyond the last week before an election, and I think it is probably a good thing to have been involved along in an election. We have a system where indeed you can vote.

Mr. SWIFT. Mr. Chairman, I yield 1 minute to the gentleman from Montana [Mr. WILLIAMS].

(Mr. WILLIAMS asked and was given permission to revise and extend his remarks.)

Mr. WILLIAMS. I thank the chairman and join in thanks to both chairmen for this legislation.

Mr. Chairman, out our way in Montana we have one of the highest registration and get-out-the-vote percentages of any State in the Nation. But nonetheless, a year ago in January, the Montana State Legislature, in an effort to improve our registration and our voting percentage, implemented a law that is very similar to the one we are considering today. It is the Montana motor-voter program.

□ 1600

It went into effect in October of last year, and, since that time, more than 1,700 Montanans each month have been using the services to either register or update their registration.

As this is related to fraud, Mr. Chairman, I talked to our Secretary of State, Mike Cooney, and he tells me, "No, there guarding against the possibility of fraud," and, "No, they're has not been a single case of fraud in Montana," he tells me, "since this act has been implemented."

Mr. Chairman, I really think now is the time for us to move on to a Federal law of this kind, now, particularly as we move into the heat of an election year.

Article by Mike Cooney follows:

Earlier this month, syndicated columnist George F. Will wrote a column in which he described the National Voter Registration Act pending in Congress (S. 250), as "another example in missing the point." I disagree.

In his widely circulated column, Mr. Will argues that it is acceptable and perhaps preferable if barriers to voting are "filtering out the unmotivated, who are apt to be the uninformed." Perhaps Mr. Will has forgotten the very basics of our democracy. The

Constitution of the United States of America does not start, as Mr. Will seems to suggest it should: "We the motivated and informed people," and our rights as Americans are not dependent upon our ability to pay a poll tax or pass a literacy test.

The rights that our ancestors fought for and which brave Americans are fighting for today, are guaranteed to all Americans. Of these rights, the right to vote is perhaps the very cornerstone of our rich past and our promising future.

The National Voter Registration Act currently pending in the Congress, and known commonly as the "Motor-Voter" bill, will further enhance access to the electoral process for all Americans. The measure is really quite simple. If passed, the bill would mandate that states develop a program to allow individuals applying for a drivers license to simultaneously register to vote. In addition, mail in registration and agency based registration programs would be implemented to further increase public access to the voter registration procedure.

Unlike Mr. Will, I believe that this is government at its best. It is the fundamental responsibility of a democratic government to make laws that protect the basic rights of its citizenry. The National Voter Registration Act not only reaffirms the importance of our right to vote, but it implements a set of programs that make it easier for all Americans to utilize the power of the vote.

It is here that Mr. Will and I have a significant disagreement. Mr. Will does not believe that it should be easier to vote. In fact, he further leads his readers to believe that the 26th Amendment to the Constitution, the Voting Rights Act and other progressive measures of the 1960s designed to increase access to the system, have provided exactly the opposite result.

This is patently absurd. How many times have you heard anyone say, "I don't want to vote because it is too easy?" Without question, voter participation in America has declined since the early 1960s. However, to correlate this decline to reduction in barriers to voting is not dissimilar to attributing the rain to the fact that you washed your car. While both events took place, a causal connection is not likely.

Rather, in the case of voter participation, it is more likely that an anti-government reaction stemming from the war in Vietnam, Watergate, Abscam, Iran-Contra, and the S&L crisis have been the root of increased public skepticism about our political process.

The real question, however, is what we do now to encourage more Americans to register to vote and to vote on election day. While I agree with Mr. Will that part of the solution is incumbent upon government officials to uphold the public trust, I disagree that we should sit on our collective hands when it comes to implementing a program that will provide an additional access point for more than 90 percent of all voting age Americans to become part of the electoral process. And getting these citizens registered to vote is a crucial step, because people who are registered to vote, go to the polls and vote. U.S. Census Bureau figures show that since 1976 some 85 percent of those registered actually cast a ballot in presidential elections.

It is going to take some time for politicians to regain the public trust, but we can and should pass the National Voter Registration Act this year.

In Montana, we passed a Motor-Voter bill this past January that will go into effect on Oct. 1, 1991. This program will effectively cut bureaucratic red tape by allowing Montanans to register to vote when they get or

renew their drivers licenses. The "I'm-sorry-you'll-need-to-go-to-another-agency-to-do-that" shuffle will end, and the public will be much better served.

Will passage of S. 250 provide an immediate solution to the problem of declining voter participation? No. Will passage of this measure make the problem worse? No. Will passage of the National Voter Registration Act cut bureaucratic red tape and make it easier for Americans to register to vote? Absolutely, and this is the point that Mr. Will has missed in his column, and that I hope the Congress will not miss when they vote on passage of this bill.

It's time to reject the scare tactics of conservative nay sayers in whom Mr. Will has clearly held too much stock and move ahead with a measure representing what is best about our democracy. Our democracy is great because we are free to determine our own fate, as individuals and as a country. We can elect our representatives and we can throw them out when we chose. We do this on our own; each with our own background, beliefs and dreams.

In the words of President Franklin D. Roosevelt, "Inside the polling booth every American man and woman stands as the equal of every other American man and woman. They have no superiors. There they have no masters save their own mind and consciences."

This is as it should be.

Mr. THOMAS of California. Mr. Chairman, I yield 2 minutes to the gentleman from Washington [Mr. MORRISON].

Mr. MORRISON. Mr. Chairman, I rise today in strong support of the motor-voter concept embodied in this legislation. In my home State of Washington, a State with the foresight to have already adopted motor-voter, 800 to 1,000 new voters are being registered every day. Much of the credit goes to our Secretary of State, Ralph Munro. The program has been in place for only 5 months, yet a remarkable 100,000 voters have already been added to the registration rolls. Motor-voter works.

My friends, we have an opportunity today to bring folks across the country back into the democratic process. Making the voting booth—the foundation of our democracy—more accessible, is a goal Members from both sides of the aisle should embrace.

For those who contend that motor-voter will increase State costs, let me again take you back to my State's example. In Washington, motor-voter costs no more than 40 to 50 cents per transaction—the lowest per-transaction cost of any form of voter registration. And we have found no evidence of the increased fraud which opponents of this bill are trying to sell to you today.

In short, this is commonsense legislation. Bringing the millions of unregistered voters into our system strengthens and legitimizes our democracy. I can't think of a more laudable goal, and urge all of my colleagues to give this legislation their strong support.

Mr. LIVINGSTON. Mr. Chairman, will the gentleman yield?

Mr. MORRISON. I yield to the gentleman from Louisiana.

Mr. LIVINGSTON. Mr. Chairman, I applaud the fact that the State of Washington has adopted their own law. They did it without the passage of this Federal legislation.

Why is it that the gentleman is looking at the success in the last 5 months, the untested success of the last 5 months, in the State of Washington and seeking to impose upon the entire Nation an additional cost, whether or not States wish to implement this legislation or not?

Mr. MORRISON. To the gentleman from Louisiana all I can say is, "We like to share a good thing."

Mr. LIVINGSTON. And I say to the gentleman from Washington, "We'll take your apples. You can have the legislation."

Mr. THOMAS of California. Mr. Chairman, I yield myself 2 minutes.

Mr. Chairman, I think it interesting to note that both the gentleman of Montana and the gentleman from Washington, who have indicated they have just instituted a motor voter procedure in their States, also have a purging procedure in their States. Montana removes people from the rolls for failure to vote. Washington removes people from the rolls for failure to vote. So, there is no question that States who have an outreach program, who put people on the rolls, who have a punitive procedure for removing them by taking them off the rolls if they do not vote, will have clean rolls.

It is ironic that the gentleman from Washington supports Federal registration which mandates putting people on the roll, but provides no funding or real mechanism in the States to take them off the rolls. It would be convenient if every State could have this kind of a procedure so that they could keep their rolls clean. The legislation does not parallel either the election laws of the State of Montana or the election laws of the State of Washington.

Mr. WALKER. Mr. Chairman, will the gentleman yield?

Mr. THOMAS of California. I yield to the gentleman from Pennsylvania.

Mr. WALKER. Mr. Chairman, I just came to the floor, and is the gentleman telling me that, under the bill that we have before us, that the States would not be able to purge their rolls of these folks that were added through drivers' licenses?

Mr. THOMAS of California. The authors of S. 250 are more than generous in the bill, telling the States that if they wish to get the deadwood off the rolls, that they should do so with their own State funding. They mandate putting people on the rolls, but they do not provide funding to remove them, in direct contravention to the bipartisan H.R. 2190 which provided an outreach and a funded removal mechanism.

Mr. WALKER. So, if a college student came to a college in my area, applied for a driver's license at that address, got registered to vote at that

point, then moved away years later, he could still be on the rolls in that community.

Mr. THOMAS of California. It depends upon the particular State. With all of these names being mandated by this bill to be added to the voter rolls, it is up to the State then, with its own resources, to try to figure out a way to counter it. Some States have on the books the ability to purge their rolls. Others do not.

Mr. Chairman, the problem with this legislation is that it is classic mandating without funding, one-half of the requirement.

Mr. CONYERS. Mr. Chairman, I yield myself 1 minute.

Mr. Chairman, I am delighted to find out that there is something in writing about what the President may do about this bill. But it does not come from the President. It comes from the Office of Management and Budget, and maybe that is the same place; I do not know.

But nowhere on this document, generously provided to me by my friend from California, does it say that the President is going to veto this bill.

I am doing this in defense of Republicans. Nowhere does it say the President is going to veto this bill. So, if anybody is worried about the President further lowering his rating, which now stands at an all-time low of 34 percent in the polls, he is not about to make that mistake.

Mr. Chairman, what he did say, somebody in OMB, maybe Mr. Darman, said that the administration opposes S. 250 in its current form. He did not say that he would veto it.

That is my contribution to good bicameral government today.

Mr. SWIFT. Mr. Chairman, I yield such time as she may consume to the gentlewoman from Tennessee [Mrs. LLOYD].

(Mrs. LLOYD asked and was given permission to revise and extend her remarks.)

Mrs. LLOYD. Mr. Chairman, I rise in support of S. 250, the National Voter Registration Act. This bill will make it easier for eligible citizens to register to vote while at the same time strengthening antifraud measures.

S. 250 would permit voter registration simultaneously with application for a driver's license. Since most Americans are licensed to drive, this is a simple, cost-effective means to facilitate voter registration for all eligible voters.

In order to reach those who don't have driver's licenses, the bill would allow voters to register when they apply for many other public certificates, such as hunting permits or marriage licenses. It would also let citizens register by mail and in person at a host of Government offices, where the opportunity to apply for registration is offered along with whatever services the agency normally provides.

S. 250 is an important step in the ongoing effort to expand voter registration. The bill will also help open up all aspects of public life to Americans with disabilities, many of whom

have difficulty registering under current procedures.

S. 250 contains strong antifraud measures to safeguard against abuse. It mandates that all the requirements for eligibility to register are clearly stated, and that the applicant sign under penalty of perjury. States may require that a first-time voter who has applied by mail make a personal appearance to vote. Federal criminal penalties would apply to any person who knowingly and willfully engages in fraudulent conduct.

I support this legislation because increasing voter registration is a first step toward bringing more Americans into the political process. Over the past decade, we've seen voter participation in Federal elections steadily decline. In the 1988 Presidential election, turnout dropped to 50 percent, the lowest participation rate in the last 64 years. According to the League of Women Voters, about 70 million Americans who are eligible to vote are not registered. Clearly, this must be cause for alarm. It's been estimated that nearly 90 percent of all eligible voters would be registered if S. 250 were enacted. That's why this bill is so essential.

S. 250 would give all Americans earlier access to the most fundamental right our country affords its citizens—the right to be a part of our democratic legislative process. All folks should have their voices heard come election day. With so many vital issues facing the Nation, and with growing public discontent over the political process, it's essential to expand opportunities for voter registration. I urge adoption of S. 250.

Mr. SWIFT. Mr. Chairman, I yield 1 minute to the gentleman from New York [Mr. GILMAN].

(Mr. GILMAN asked and was given permission to revise and extend his remarks.)

Mr. GILMAN. Mr. Chairman, I rise in support of S. 250, the National Voter Registration Act of 1991, and wish to thank the chairman of the subcommittee, the gentleman from Washington [Mr. SWIFT], for helping to bring this measure to the House floor.

Mr. Chairman, most of us are fully aware that participation in our Nation's elections is not what it should be. Particularly in non-Presidential election years, participation by those eligible to vote is alarmingly low. The process of registering to vote is cited by many as a reason for not voting.

S. 250, which is virtually the same as H.R. 2190, which passed the House by a vote of more than 2 to 1 last Congress, is designed to encourage more eligible citizens to vote by directing States to incorporate voter registration into applications for drivers' licenses and by permitting registration by mail and through certain State agencies, including State public assistance, unemployment, and very importantly, disability offices. The bill also establishes penalties for election officials attempting to coerce voters to join a certain party or vote for a certain candidate.

In addition, Mr. Chairman, through the motor-voter provisions of the bill and use of our U.S. Postal Service's na-

tional change of address [NCOA] system, States will be able to save thousands of dollars and be much more accurate in the maintenance of up-to-date voter registration lists.

In sum, this measure encourages voter participation by providing greater access for registration, incorporating anticorruption efforts, and providing flexibility to the States to clean up their registration rolls. Accordingly, I urge my colleagues to support this measure, bearing in mind that good government is dependent upon an alert, concerned, and an active citizenry.

Mr. CONYERS. Mr. Chairman, I yield half of the time remaining that the gentleman from Washington [Mr. SWIFT] has generously given to me, 2 minutes, to the gentleman from Mississippi [Mr. ESPY] who is a direct product of the Voter Rights Act of 1965.

(Mr. ESPY asked and was given permission to revise and extend his remarks.)

Mr. ESPY. Mr. Chairman, I appreciate the gentleman from Michigan [Mr. CONYERS] yielding this time to me, and I appreciate his offering this very important legislation.

Mr. Chairman, at a time when millions of Americans are alienated from our political system, this legislation helps to accomplish two very important purposes. First of all, it encourages citizens to register, and it makes it more convenient, second, for them to do so.

Now to the gentleman from Louisiana [Mr. LIVINGSTON] I say, "We know already that all Americans are free to vote and free not to vote. That's not the issue. That's been well settled a long time ago with the blood and sacrifice of many heroes and heroines."

The point is that oftentimes in rural States like Mississippi it is not convenient to vote, and I think that is a worthy and legitimate purpose for government. So, by this bill, it allows eligible voters to register by mail, it automatically registers them when they get a drivers license, and it allows voters to register when they conduct business at State and Federal agencies, all very important provisions in States like mine.

□ 1610

This legislation also provides for uniform and nondiscriminatory verification to ensure that voter registration lists are kept up to date.

Mr. Chairman, in part I am proud to say that some of the changes in this bill were recently adopted by the Mississippi Legislature, a State with a sordid history, as the gentleman from Michigan [Mr. CONYERS] has already noted, of obstruction to voter participation. So it is a sign of the tremendous progress in my State that we have already passed some of these provisions.

So in furtherance of that, I hope that the Congress will pass this bill

today as a sign of progress throughout all of our Nation, and urge all of my colleagues to support this very, very worthwhile bill.

Mr. SWIFT. Mr. Chairman, I yield such time as he may consume to the gentleman from the Virgin Islands [Mr. DE LUGO] for the purposes of entering into a colloquy.

Mr. DE LUGO. Mr. Chairman, I would like to ask the gentleman from Washington [Mr. SWIFT] a clarifying question.

The initiatives in this bill should go a long way in simplifying and expanding voter registration in this country as such, I want to commend the gentleman from Washington [Mr. SWIFT] and Congressmen JOHN CONYERS, prime sponsor CHARLIE ROSE, JOHN LEWIS, and staff on a fine effort.

Some in the insular areas have expressed an interest in these types of voter registration methods. As chairman of the subcommittee with jurisdiction over the insular matters, I will be speaking with insular leaders, including the Governor of the Virgin Islands, about this and the possibility of including the insular areas by an amendment through my subcommittee. It is my understanding that you and the primary sponsor do not object to this. Is that correct? And may I count on your support if such an amendment were to be included in legislation reported by my subcommittee?

Mr. SWIFT. Mr. Chairman, if the gentleman will yield, that is correct.

Mr. CONYERS. Mr. Chairman, if the gentleman will yield, that is absolutely correct.

Mr. DE LUGO. Mr. Chairman, may I count on the support of the gentleman from Michigan [Mr. CONYERS] and the gentleman from Washington [Mr. SWIFT] if such an amendment were to be included in legislation reported by my subcommittee?

Mr. CONYERS. Mr. Chairman, if the gentleman will yield, I think that is a fine idea.

Mr. SWIFT. Mr. Chairman, if the gentleman will yield further, I would support the subcommittee in that area.

Mr. DE LUGO. Mr. Chairman, the American citizens in the insular areas thank both of these fine leaders.

Mr. SWIFT. Mr. Chairman, I yield 2 minutes to the gentlewoman from Maryland [Mrs. MORELLA].

Mr. THOMAS of California. Mr. Chairman, I yield 1½ minutes to the gentlewoman from Maryland.

(Mrs. MORELLA asked and was given permission to revise and extend her remarks.)

The CHAIRMAN. The gentlewoman from Maryland [Mrs. MORELLA] is recognized for 3½ minutes.

Mrs. MORELLA. Mr. Chairman, I rise today in support of S. 250, the National Voter Registration Act. By opening up the political process, I believe this bill is good for the democratic process and the American people.

One of the most fundamental rights protected by our Constitution is the right to vote. I believe every Member of Congress will agree that the American people's ability to vote must be protected, nurtured, and even facilitated if our political system is to be preserved.

The 36-percent national voter turnout in the 1990 congressional elections, the lowest turnout since 1942, should be a serious warning to our Nation that our constituents are becoming increasingly disenfranchised from the political process.

When tied to driver licensing and State ID's, voter registration becomes readily accessible to over 90 percent of the population, and getting voters registered is the key to high voter turnout. The most often heard explanation for why Americans do not vote is that they do not register in time. This bill would make the registration process virtually effortless and statistics show 80 to 90 percent of the registered voters participate in Presidential elections, even when overall voter turnout is low.

States, who have motor-voter programs have not only increased political participation but have also significantly decreased costs of registration. This, too, is an objective that follows no party lines.

The greatest concerns raised regarding S. 250 are the potential risks of fraud through mail registration and lax list-cleaning procedures. The successes of existing State motor-voter programs are proof that these concerns are unfounded.

For example, Oregon has had mail registration for 17 years without a single case of fraud, and Minnesota and Washington have had similar experiences. However, this bill is anything but indifferent to the threat of fraud. It provides for strong criminal penalties for fraud, mandatory address verification procedures, and requirements to remove from the voting rolls the names of those who have died or moved out of the jurisdiction.

Mr. Chairman, with passage of the Voting Rights Act of 1965, Congress made a historic stand for the voting rights of the American people. Today, we have an opportunity to again engage millions of Americans, especially the disabled and the elderly, in our participatory democracy. Let us not pass up this opportunity. I urge my colleagues to support this legislation.

Mr. LIVINGSTON. Mr. Chairman, will the gentlewoman yield?

Mrs. MORELLA. I yield to the gentleman from Louisiana.

Mr. LIVINGSTON. Mr. Chairman, the gentlewoman from Maryland [Mrs. MORELLA] has made the point that this bill would increase turnout. I just wondered if the gentlewoman is familiar with the bipartisan Committee for the Study of the American Electorate, which found that declining voter participation cannot be attributed to problems in registration and

voting laws since it has occurred during a time when registration and voting laws generally have been altered to make registration and voting easier.

Furthermore, the chairman of the Senate Rules and sponsor of the bill said not too long ago that, "This bill never purported to increase voter turnout. It never has."

If the gentlewoman would yield further, I would simply point out that you can increase registration, but you are not necessarily going to increase the vote. In fact, statistics in place where this type of legislation already exists already reflect that voter turnout on election day declines.

Mrs. MORELLA. Mr. Chairman, it has the potential for increasing voter participation. In my State of Maryland, which has the mail-in voter card, participation has increased because of the facility of being able to vote. So maybe there is no scientific proof, but I think you will find some experiences in States will indicate if you make it readily accessible and available, then it is going to promote I think an interest in voting.

Mr. THOMAS of California. Mr. Chairman, I yield myself 1 minute.

Mr. Chairman, I want to underscore the fact that the gentlewoman from Maryland [Mrs. MORELLA], who just spoke, the gentleman from New York who spoke previously, the gentleman from Montana, and the gentleman from Washington, all have purge language in their State laws. If this legislation becomes law, the Federal Government will dictate and that portion of the election law of those States must be stricken. There is no option for the States to follow a procedure they already have in law and want to follow.

So I hope these people who are excited about this legislation understand that it will preempt the already chosen procedures of the States in dealing with their own election laws.

Mr. SWIFT. Mr. Chairman, I yield myself 1 minute.

Mr. Chairman, just for the record I would like to do several things. One, it has been said on the floor that this bill contains same day registration. That is not true. It has been said on the floor several times there is no purge language. That is not true.

Mr. Chairman, if one were listening to the opposition of this, one would think that this is supported only by evil, mean, and stupid people. For the RECORD I submit a list of supporters of this legislation, including the American Association of Retired Persons, the American Baptist Churches, USA, the American Jewish Congress, the Association for Education and Rehabilitation of the Blind and Visually Impaired, the Disabled American Veterans, Friends Committee on National Legislation, League of Women Voters, the National Council of Churches, the National Urban League, Paralyzed Veterans of America, the Presbyterian

Church, the United Church of Christ, the United Methodist Church, and the United States Catholic Conference.

Mr. Chairman, I would also indicate that dated today and addressed to the Speaker of the House the American Bar Association, which represents 380,000 lawyers nationally, informs the Speaker they support the enactment of S. 250.

Mr. Chairman, I include these two documents for the RECORD.

JUNE 9, 1992.

DEAR REPRESENTATIVE: We urge you to support House passage of S. 250, the National Voter Registration Act. Through simple and effective means, S. 250 will ensure that every citizen has the opportunity to register and vote.

National voter registration reform is long overdue. If current trends continue, more than one-third of the eligible electorate—nearly 70 million citizens—will not be able to vote this year because they are not registered.

Access to voter registration differs greatly from state to state and county to county. In our highly mobile society, this patchwork system acts to discourage voter participation and permits restrictions and practices that discriminate against many of our citizens.

A citizen's right to vote cannot be distinguished from his or her opportunity to register and stay registered. Your support for S. 250 will help strengthen our democracy by ensuring convenient and accessible voter registration for all citizens.

Sincerely,

American Association of Retired Persons (AARP).

- American Baptist Churches USA.
- American Civil Liberties Union.
- American Council of the Blind.
- American Ethical Union, Washington Ethical Action Office.
- American Federation of State, County and Municipal Employees.
- American Nurses Association.
- American for Democratic Action.
- American Jewish Congress.
- Association for Education & Rehabilitation of the Blind and Visually Impaired.
- Center For A New Democracy.
- Central Conference of American Rabbis.
- Church of the Brethren, Washington Office.
- Citizen Action.
- Citizenship Education Fund.
- Common Cause.
- Commonwealth of Puerto Rico, Electoral Coordination and Orientation Division.
- Disabled American Veterans.
- Disabled AND Able to Vote.
- Federally Employed Women.
- Federation of Reconstructionist Congregations and Havurot.
- Friends Committee on National Legislation.
- Human Rights Campaign Fund.
- 100% VOTE/Human Serve.
- Interfaith Impact for Justice and Peace.
- International Ladies' Garment Workers' Union.
- International Union, U.A.W.
- League of United Latin American Citizens (LULAC).
- League of Women Voters of the United States.
- Lutheran Office for Governmental Affairs.
- Mexican American Legal Defense and Educational Fund (MALDEF).
- Midwest/Northeast Voter Registration Education Project.

NAACP Legal Defense and Educational Fund.
 National Association for Black Veterans, Inc.
 National Association for the Advancement of Colored People (NAACP).
 National Association of Latino Elected and Appointed Officials.
 National Association of Recording Merchandisers.
 National Association of Rehabilitation Facilities.
 National Center for Law and Deafness.
 National Coalition of Black Voter Participation.
 National Community Action Foundation.
 National Congress of American Indians.
 National Council of Churches.
 National Council of La Raza.
 National Council of Senior Citizens.
 National Education Association.
 National Rainbow Coalition.
 National Student Campaign for Voter Registration.
 National Urban League.
 Paralyzed Veterans of America.
 People for the American Way Action Fund.
 Planned Parenthood Federation of America.
 Presbyterian Church, (USA) Social Justice and Peacemaking Unit.
 Public Citizen.
 Rock The Vote.
 Service Employees International Union.
 Union of American Hebrew Congregations.
 Unitarian Universalist Association of Congregations.
 United Church of Christ, Office For Church In Society.
 United Food & Commercial Workers Union.
 United Methodist Church, General Board of Church and Society.
 U.S. Conference of Mayors.
 U.S. Public Interest Research Group.
 United States Catholic Conference.
 United States Student Association.

AMERICAN BAR ASSOCIATION,
 Washington, DC, June 16, 1992.

HON. THOMAS S. FOLEY,
 Speaker of the House of Representatives,
 Washington, DC.

DEAR MR. SPEAKER: We understand the House of Representatives will consider shortly S. 250, National Voter Registration legislation. The American Bar Association, which represents 380,000 lawyers nationally, supports the enactment of S. 250.

While we do not have positions on and do not necessarily agree with all the specific components of this package, the ABA believe that it represents a logical and well-crafted compromise which would benefit the electoral interests of both parties in the House of Representatives by bringing in more citizens to the electoral process. The need for revisions in our system of registering voters is obvious. Today, nearly 70 million Americans cannot vote because they are not registered. Only about 23 percent of people with disabilities are registered to vote. Nearly one-third of adult Americans move within a two-year period, and they have to register to vote in addition to changing their postal address and their drivers licenses. Americans need a simple, efficient national system of voter registration. The National Voter Registration Act would address this need.

We hope members from both parties will put aside their fears of the unknown to support S. 250. It offers the best opportunity to balance the sensitivities of both political parties and to adopt a bill that will provide the opportunity to vote to many persons

now faced with unnecessary barriers to exercising their franchise.

This legislation will:

- (1) establish national procedures for voter registration for elections for federal office;
- (2) require states to allow their citizens to register to vote when applying for a motor vehicle license or identification card;
- (3) provide for voter registration by mail and in person at federal, state, and other governmental locations.

Since 1974, the ABA has supported legislation creating a federal administration of, and procedures and funding for, voter registration by mail for federal elections. In 1979 the ABA supported the enactment of legislation that encourages voter participation. In August 1990 the ABA specifically endorsed supporting efforts to increase voter registration through state and local agencies that have direct contact with the public (e.g. licensing agencies), and encouraged efforts that make the opportunity to vote easy and convenient. In our opinion S. 250 implements these goals.

We urge you and your colleagues to adopt S. 250.

Sincerely,

Talbot D'Alemberte.

Mr. CONYERS. Mr. Chairman, the State of Michigan is losing six Members this term, and one who will be missed very sorely inside the Metropolitan Detroit area is the distinguished gentleman from Michigan [Mr. HERTEL], to whom I yield such time as he may consume.

□ 1620

Mr. HERTEL. Mr. Chairman, I thank the gentleman for yielding time to me.

I want to commend the gentleman from Michigan [Mr. CONYERS] and the gentleman from Washington [Mr. SWIFT] for all their work in this area. There is a lot of talk about reform of this body, but this is real reform that lets citizens participate at a higher level. Who are we talking about? We are talking about, in many cases, less educated. We are talking about people with lower incomes, because people that are better off can better plan, have more time, let us be frank about it.

This gives the average person a chance to vote in an election. Is that not what we want? To have more people participate? Are we not all embarrassed when we talk to people from foreign nations that have such a higher percentage of people participating in voting?

More importantly, is it not a danger to our democracy to see a continually declining base of support? We are talking about primary elections where less than 15 percent of votes eligible to vote can decide the outcome. We are talking about Presidential elections where it is hard to get 50 percent turnout of those that are eligible to vote and register, and even less for those that are just eligible by age and citizenship.

The key to a strong democracy is participation. People share the responsibility, and the wider we can reach people for that first step of citizen responsibility, just to vote, and then to

get people more active in their communities and their States and their governments will make this a stronger country:

I want to commend the gentlewoman from Maryland for her strong support of this measure. It should be a bipartisan measure and bill, because we are talking about all the people in this country having a better chance to participate and to vote and to make this a stronger democracy.

I want to again thank the sponsors very much for putting this forward. I wish them the best of luck in getting this passed all the way and signed into law.

Mr. SWIFT. Mr. Chairman, I yield 1 minute to the gentleman from New York [Mr. FISH].

Mr. FISH. Mr. Chairman, I thank the gentleman for yielding time to me.

Mr. Chairman, I rise today in support of S. 250, the National Voter Registration Act.

Never, in the years that I have served in the House of Representatives, have I seen the American people so dissatisfied with their Government. I believe the only way that this Congress can regain the trust and confidence of the American public is to earn it—through reform of our campaign finance system, reform of the procedures, of this institution to make us more effective and responsive, and encouraging and facilitating increased voter participation.

National voter registration reform is a necessary step in encouraging voter participation, which has reached historically low levels. In the 1990 elections, only 36 percent of eligible American citizens went to the polls—the lowest percentage in 50 years. Even more disturbing is the fact that an estimated 70 million eligible citizens cannot vote because they are unregistered.

Study after study has shown that a primary reason for this shocking statistic is the public's unfamiliarity with the confusing array of State and local registration procedures. The bill before us today addresses this problem by putting three registration methods into effect nationwide which will reach the entire eligible population, including those who are most underserved under our current registration system—disabled and low-income Americans.

Mr. Chairman, we are a self-governing people. It is our duty to pass legislation that will facilitate the voting process and enfranchise, empower, and involve all eligible American citizens in our democratic system of government. S. 250 would do that, and I urge my colleagues to join me in supporting it.

Mr. THOMAS of California. Mr. Chairman, I yield myself the balance of my time.

This fight is not about expanding the rolls. This fight is not about trying to ensure that more Americans can participate in the electoral process.

This fight is about something that started out as a bipartisan compromise that has turned into a mandated, non-funded, partisan fight.

I would urge the gentleman from Michigan to take the June 16 statement of administration policy and read the last sentence of the first paragraph which says, "If S. 250 were presented to the President in its current form, his senior advisers would recommend a veto."

That may not mean veto to the gentleman from Michigan, but 28 times this President has sent the same message to this Congress. Seven times in this Congress the President has sent the same message. Three times in this session the President has sent this message, and every time the President vetoed it. At no times has this Congress overturned a Presidential veto.

The gentleman from Michigan may feel that this language is ambivalent or unclear to him, but I am sure that same capability to read this language, and see it as ambivalent or unclear, is exactly the same mental set that brought him to S. 250 and saw mandate after mandate with no funding leading him to believe that S. 250 is virtually identical to H.R. 2190, which had funding in it for the mandated programs.

It is very simple, my colleagues. If we want to mandate to the States, put money in the bill. If we want to dictate, pay. If we are going to continue to try the same old policies, we are going to get a veto. And the President's veto is going to be sustained.

I am only sorry that this is now a partisan issue in a partisan season, when it started out as a bipartisan effort to expand the roles.

I will end with my initial offer. After the President vetoes, after you folks lose another Presidential election, let us try to sit down and craft a bipartisan bill that can move through both Houses and that can be signed by the President.

I await my colleagues' understanding of reality.

Mr. SWIFT. Mr. Chairman, I yield myself the balance of my time.

Mr. Chairman, the United States has a history in one respect that is not proud. It is the history in which government in this country has for decades used registration as a means to deny the vote to people who some political organization or other deemed to be unreliable citizens. It has been used against the Irish, the Southern Europeans, the Eastern Europeans, and of course, African-Americans.

The fact is that most free nations on the face of this Earth believe that it is Government's positive responsibility to facilitate citizens being able to vote through registration. In fact, a friend of mine who lives in Canada had to practically beat the canvasser off the front porch with a broom, so badly did he want to register him for an upcoming Canadian election in which he could, obviously, not participate be-

cause he was an American citizen. Yet here we have the idea government has a right to interpose itself.

One of the earlier debaters said government has got to get its nose out of people's business. That, Mr. Chairman, is precisely what this will do. It will get government out of its place between the citizen and the ballot box by making registration easy.

Mr. FAZIO. Mr. Chairman, I rise today in strong support of the National Voter Registration Act, a commonsense piece of legislation which may do more to revitalize the democratic process in this country than any other bill that we consider during this Congress.

This measure will remove roadblocks to voting registration which contribute to low election turnout. It simply says that a citizen should be able to register to vote when and where they get or renew their driver's license, or by uniform application through the mail. Many States already have successful registration programs of this type, and this legislation asks remaining States to imitate these successful examples.

This bill also provides important registration assistance to Americans with disabilities, millions of whom are currently discouraged from going to the ballot box by the difficulties that they face with the registration process in many States.

Those concerned that an increase in voter registration will mean an increase in ineligible people on the registration rolls should be reassured by the antifraud provisions of the legislation. This bill strengthens Federal authority to criminally prosecute vote fraud, in addition to retaining all present safeguards against fraud and abuse, and it requires that States have a regular, effective and nondiscriminatory list-cleaning program to remove ineligible voters from the registration lists.

For those who ask if we can afford the modest initial costs of this legislation, I think there are two answers. First, in the narrow sense, the simplification and list-cleaning provisions of this legislation will save the States \$9 to \$12 million per election year in the short term, and 50 percent per registrant once the new system is implemented. Second, in the larger sense, in an era when declining voter turnout threatens to undermine the system of reciprocal responsibility between voter and representative which lies at the heart of our government, how can we afford not to reduce unnecessary roadblocks to voting?

The philosophy behind motor-voter is a conservative one: keep government interference to a minimum when it comes to our citizens exercising one of their most fundamental rights. It should be endorsed by people from the entire political spectrum, and I am proud to support it.

Mr. CLAY. Mr. Chairman, I support legislation to create a national voter registration program. The bill we are considering today, S. 250, creates that program. Last Congress an overwhelming bipartisan majority of this House passed a similar voter registration program. Today we can, and should, reaffirm that support.

S. 250 provides for voter registration through driver's license applications which allows ready access to voter registration for young people, elderly, working poor, and those who have recently moved. Our coun-

try's voter lists will be more up-to-date and accurate.

Basically, this bill will do two important things: it will expand the voting franchise to more Americans, and it will help our States, counties, and cities compile up-to-date and accurate voter lists. Let's move ahead and strengthen our democracy—support S. 250.

Ms. PELOSI. Mr. Chairman, I rise today in support of S. 250, the motor-voter bill. This important legislation is a long overdue step in helping millions of Americans become active voters.

Over the last 40 years, voter participation in the election process has been declining at a troubling rate. In fact, in the 1990 election only 36 percent of eligible Americans chose to exercise their right to vote. This means that 19 percent of the eligible voting population constituted a majority and thus made decisions affecting the entire country, rather than the 51 percent that should be necessary. In order to increase participation we must remove obstacles to participation.

A significant percentage of those individuals who do not vote say they would have voted if they had been registered.

However, complicated deadlines and filing procedures have led many Americans to believe that it is just not worth their time or their vote to deal with the bureaucratic headache of registering.

By allowing voter registration through the mail, or while registering an automobile, or applying for a drivers license, millions more young Americans, older Americans, disabled Americans, and minority Americans will become registered to vote. Through such wider voter registration and increased voter participation, we can do what we were sent here to do, represent the views of all Americans.

Mr. Chairman, we cannot allow the trend toward lower voter turnout to continue. The issues facing our country are too serious and too comprehensive to allow 19 percent of the voting population to decide the fate for the rest. I urge my colleagues to support the necessary and long overdue voter registration reform bill.

Ms. LONG. Mr. Chairman, I rise in support of S. 250, the National Voter Registration Act—or motor-voter bill. This legislation would facilitate registration, thereby increasing voter participation in our country—something I think all Americans favor.

The bill ensures that individuals will be allowed increased opportunities to register to vote, including the ability to register to vote at the time they apply for a driver's license.

Mr. Chairman, years ago, Franklin Delano Roosevelt said that, "Every man and every woman who has voted in the past has had a hand in the making of the United States of the future." He also said at the same time that, "They (the people) become good citizens by the exercise of their citizenship and by the discussions, the reading, and campaign give-and-take which help them make up their minds how to exercise that citizenship."

The motor-voter bill will allow people to more easily become the good citizens about which President Roosevelt spoke.

I commend our colleagues who worked to bring this legislation to the floor, and I urge the House to support the bill.

Mr. KOLTER. Mr. Chairman, I ask my colleagues to join me in supporting S. 250 which would simplify and make uniform the voter registration process. More than ever before, we need to do everything we can to bring detached American voters back into our democracy. Toward this end, the National Voter Registration Act would facilitate the process of registering to vote by expanding the facilities where a voter can register and by standardizing the applications.

The United States is bringing up the rear in voter turnout among the world's major democracies. A 50-percent turnout among registered voters is an embarrassing and unacceptable rate which declines every year. What's more, only 61 percent of those eligible to vote are even registered. We in Congress should support all efforts to head off this constant, alarming decrease in voter participation. This is precisely what S. 250 aims to achieve.

Presently it is not all that difficult to register to vote. However, voter apathy in this Nation is a serious problem. Many voters throughout this Nation are either alienated, cynical, or disinterested in the political process. It follows that many Americans not presented with the opportunity to register will either not inquire or simply not pursue the necessary forms to do so. This is why further simplification is vital.

The potential benefits of this bill far outweigh the cost to the States. Moreover, turning this into a partisan debate and trying to make the case that this would tend to bring more voters likely to vote Democratic, rather than Republican, into the process seems to me to be an overly cynical, bordering on silly, argument.

Voting no on this important legislation would be inconsistent with what would be expected of a Member of Congress who should be doing everything possible to encourage voter participation which is, after all, the foundation of our democratic government.

Mrs. KENNELLY. Mr. Chairman, 61 percent of those eligible to be registered voters in the United States are, in fact, registered. The other 39 percent are missing from the rolls. In 1988, 50 percent of those eligible to vote for President did. The other 50 percent did not. In 1986 there were 40 million more nonvoters than voters.

These figures are appalling and embarrassing. Mr. Chairman, I strongly support S. 250, the Senate version of the National Voter Registration Act, which passed the House during the last Congress.

Both apathy and barriers to registration are responsible for low turnout. While voter apathy is difficult to address, there is simply no excuse for not removing registration barriers. The future of our representative democracy is at stake.

Now I know this legislation has been criticized based on cost and the potential for fraud. Frankly, I think the potential for fraud is overrated. Each and everyone of us stands for election. I ask you, given your experience with elections, which has been a bigger problem—voter fraud or voter apathy?

That is exactly the point. Apathy is a far bigger problem than the rare occurrence of voter fraud. And, as a former Secretary of State who was responsible for administering elections, let me assure you that I think the enhanced protections against fraud in this legislation are more than sufficient.

The Governor of my own State of Connecticut recently signed into law motor-voter legislation. Four States that have implemented motor-voter laws have increased voter turnout between 16 and 26 percent from 1986 to 1990. In five States without such laws, voter turnout decreased between 9 and 35 percent.

It is now time for us in the Congress to do our job. We have sworn to protect the Constitution—our democratic form of government. Let's do it by passing this legislation. It is unacceptable for us to allow any obstacle to remain in the path of an American citizen exercising his or her right to vote.

Mr. ROEMER. Mr. Chairman, it is truly a national shame that the United States has what is arguably the worst reputation in the free world for voter turnout. This country is the No. 1 guardian of democracy, free speech, and voting rights around the globe, yet our own voter registration continues to fall.

When only half of the eligible voters in the Nation show up at the polls, as it happened in the 1988 Presidential elections, we are approaching what should be considered a crisis.

The legislation before us today, known as the motor-voter bill, seeks to address this national concern. By making it easier to register to vote, we improve the opportunities for our citizens to take part in one of the most vital functions of our democracy.

Mr. Chairman, we read and hear every day about how disenfranchised the American public feels from their Government, and about how pessimistic the voting populace is. If we pass this bill today, we will be sending a signal that we want to address these concerns and bring the people back into the system.

Our democracy's health depends on the support and participation of the American people. This is a small but important step toward maintaining that health.

Mr. PACKARD. Mr. Chairman, I am an advocate of registering citizens of this country to vote. I support measures which make it easier for citizens of this country to vote.

I have strong convictions that citizens should register to vote, and in doing so undertake a duty. Along with any right, there comes responsibility. We live in the greatest country on the face of the Earth. One of the foundations on which this country is built is participatory democracy. What makes this country work are the citizens of the United States taking an active interest in the state of our democracy by voting.

It is precisely my deeply held convictions about U.S. citizens' responsibility to register and vote that leads me to oppose this legislation. The bill before us today undermines right and responsibility of the voting process. I am sure that I do not need to remind my colleagues that the right to vote is extended to citizens of the United States.

Illegal immigrants pose a tremendous strain on California's social services. However, under the legislation, these very State institutions are charged with registering people to vote. Agencies which administer public assistance, unemployment, and State-funded programs administer a large percentage of this assistance to illegal immigrants. Because the process includes so many entities it invites fraud and abuse.

My problem with this bill stems from the impact of illegal immigration which I have witnessed upon the State of California. It is not

difficult for an illegal immigrant to obtain phony documents such as green cards. It is in their best interest to try and obtain a driver's license as proof that they belong here, when in fact, they do not.

In addition, this legislation requires only that the applicant sign a form that states they meet the eligibility requirements, including citizenship, under penalty of perjury. Illegal immigrants aren't afraid of being charged with perjury, they are afraid of being sent back across the border. These are people who are already here illegally—they broke the law to get into this country. Penalty of perjury is hardly a stiff legal deterrent.

Now, I don't know about my colleagues, but procedurally this does not sound to me like a rigorous, thorough way to determine a person's citizenship and along the way, extend an opportunity to vote like an American citizen. To illegal aliens who may already possess phony documentation, this sounds more like an invitation to obtain a more reliable form of identification, like a driver's license.

Finally, as a reasonable person would conclude, this bill invites voter fraud. The agencies which administer social services to illegal immigrants are given the power to register them to vote. Furthermore, it only asks them to promise they are citizens, under penalty of perjury. This distorts the objective of democracy by allowing those who are not legal citizens to participate in a process they have no business participating in.

Mr. FRANKS of Connecticut. Mr. Chairman, I rise today in support of the Michel substitute to the National Voter Registration Act. The goal of the legislation the House will pass today is an admirable one, one that will keep democracy alive in our country. How we achieve this goal, however, is as important as the goal itself. The bill that has been offered is not an attempt to increase voter participation—it is an obvious attempt to railroad the House into passing legislation that will merely give the appearance of solving our country's problem of decreasing voter participation.

I listen to some of my colleagues accusing the Republican Party of trying to drive down voter participation and can hardly believe what I am hearing. The system with which the voters are disillusioned, the one in which they no longer choose to participate, is the system that is a result of almost 30 years of Democratic domination of the House. It is the Democratic-ruled Congress that brought about the House bank scandal, the unpaid restaurant bills, and a plethora of perks and privileges with which the public is finally fed up.

I think that my Republican colleagues have very much the same goal in mind as the Democrats appear to have. We want more voters and we want more participation, because it is finally time to change the system, and give the American people a government in which they have a voice, and in which they have respect and confidence.

If the goal today is to achieve the best reform in the system of voter registration, then we must address several provisions in this legislation that would render our goal impossible.

We cannot impose on our States costly mandates that will weaken their control over the electoral process. Our Founding Fathers recognized the vital role the States play in our electoral system, and we are now ignoring this

role in favor of Federal regulations which fail to account for local considerations and solutions. We must allow the States to choose the methods that will best increase their local voter participation.

We must also avoid the possibility of increased fraud in our voter registration system. Unsupervised registration by mail, without any provisions for verification of the authenticity of the applications, can only be expected to result in fraud and error which will hurt, not help our system.

The use of State agencies as vehicles—no pun intended—for increasing voter registration, is another questionable provision of this bill. The benefits provided by the suggested agencies should in no way be tied with the electoral process, so as to avoid the perception that the way in which a person votes could have some effect on the receipt of these benefits.

In addition, the bill we consider today is a perfect example of the Democratic domination of the House taking precedence over the just and fair process by which a bill should be considered. This bill has not been fully examined by the House committees of jurisdiction, no opportunity has been given to amend and perfect this legislation with input from the Members of the House. We are forced to either blindly accept what is set before us, or be portrayed as being against increased voter participation.

Fortunately, we have been given one option to the problem-ridden legislation that has been forced down our throats today—the Michel substitute attempts to address these problems by allowing States to decide how they will encourage and facilitate voter registration.

Let us pass legislation that will increase participation in our system in the most just and equal manner. Let us leave in the hands of our States the power that rightly belongs to them. Let us change our system in a way that will solve our existing problems without creating new ones.

I know my Republican colleagues are as much in support of improving our electoral system as I am, and as dedicated to achieving the best reforms possible. It is for these reasons that I lend my strong support to the Michel substitute.

Mr. PASTOR. Mr. Chairman, I rise in strong support of S. 250, the National Voter Registration Act.

One of the most important rights and responsibilities of citizenship in the United States is the right to vote. Yet recent census data indicates that nearly 70 million citizens will not be able to exercise this fundamental right because they are not registered.

Compared to other industrialized countries—some of which have voting participation rates in excess of 75 percent—American citizens have a dismal voting record. For instance, during the 1988 Presidential election, barely half of those eligible bothered to vote. This is totally unacceptable.

The apathy and disillusionment displayed by nonvoters in America are disappointing. However, we have an opportunity, through S. 250, to substantially improve this situation.

The legislation before us today provides a simpler, cost-effective means to facilitate voter registration for all eligible voters. Individuals will be able to register at designated government agencies and by mail. More impor-

tantly, people can register to vote when applying for a driver's license. By enacting this legislation, we can reach up to 90 percent of all eligible voters nationwide.

For a variety of reasons, people with disabilities and our younger eligible citizens traditionally have low registration and low participation rates during most elections. This bill will remove some of the barriers that inhibit or discourage these people from voting. Although enacting this legislation will not increase voter turnout, it will help increase the pool of those eligible to vote.

Bringing more voters into the system is a vital first step to expanding participatory democracy, while ensuring the integrity of the electoral system. I urge all of my colleagues to vote for the National Voter Registration Act.

Mr. CHANDLER. Mr. Chairman, I rise today in support of S. 250, the National Voter Registration Act.

During the past two decades, voter participation in Federal elections has steadily declined. In 1988, only half the Nation's eligible population participated in the Presidential election. During the 1990 congressional elections, the turnout of eligible voters was 36 percent, the lowest since 1942 and the second lowest since 1798.

In an effort to increase citizen participation in the electoral process, many States have enacted motor-voter laws. Washington State began its motor-voter registration program this past January. The Washington State program was designed by Secretary of State Ralph Munro in 1989. Our legislature passed it into law in 1990. The program has already produced extremely positive results.

In just 5 short months, motor-voter registration has added more than 100,000 voters to Washington State registration rolls. This is a remarkable achievement by any standard. At the current rate, the motor-voter program will register 800,000 Washington voters during the next 4 years, an increase of 30 percent.

There are those who contend that motor-voter registration will significantly increase voter registration costs. The Washington State experience has been to the contrary. In Washington, motor-voter registration costs no more than 40 to 50 cents per transaction. This is the lowest per-transaction cost of any form of voter registration.

Motor voter provides protection against fraud and abuse. By connecting the licensing and voter registration systems, Federal, State, and local election officials have several new cross-checks and auditing tools to protect the integrity of the registration process. It is the only form of voter registration in which the applicant's picture is taken.

Motor-voter provides a convenient accessible method of registering voters while maintaining personal contact with the applicant and the registrar. Most States maintain dozens of driver licensing outlets which are accessible to both rural and urban areas.

The bottom line is that voter registration is an administrative mechanism, and should be as convenient as possible for our citizens. We must remember that the purpose of the election process is not to test the fortitude and determination of the voter, but to discern the will of the majority.

Motor-voter registration is not the cure to all that ails our election process. It does, however, remove many of the administrative barriers to voter registration. Combined with campaign

reform, voter education, and programs to increase voter turnout, this legislation will provide a positive step in increasing participation in American democracy. I urge my colleagues to vote "yes" on S. 250.

Mr. STOKES. Mr. Chairman, I rise today in support of S. 250, the National Voter Registration Act. This bill, better known as the motor-voter bill, contains many provisions designed to remove the barriers to voter registration. I commend Representative CONYERS and the leadership for bringing this bill to the floor for consideration.

Mr. Chairman, the right to vote is a fundamental right guaranteed under the Constitution. Unfortunately, our Nation's antiquated voter registration system has unfairly excluded millions of Americans from exercising this right by denying them equitable access to the electoral process. The fundamental right to vote means little if the opportunity to register and stay registered is limited. S. 250 would remove many of the barriers to voter registration and facilitate equal access to citizen participation in the electoral process.

Specifically, S. 250 would allow eligible voters to register for Federal elections by mail, when applying for a driver's license, and at State and Federal agencies. Since it is estimated that 91 percent of the adult population in this country either has a driver's license or a photo ID card, this provision would dramatically increase the number of registered voters. Those who do not have a driver's license or photo ID may simply apply to register to vote at designated Government agencies. S. 250 would also provide for automatic voter registration when individuals apply for, renew, or change their address on such licenses.

S. 250 also extends the ability of millions of disabled Americans to register to vote. According to a Harris poll, disabled Americans show greater interest in politics and public affairs than does the general population, but they register and vote at lower rates. Study after study has shown that persons with disabilities list lack of transportation as the first or second obstacle in their lives.

Today, 20 States in this country require a person with a disability to go to either the offices of the board of elections or to a temporary voter registration site where deputy registrars offer voter registration. S. 250 removes the barriers to the disabled by mandating all officers primarily engaged in providing services to persons with disabilities to offer voter registration services during intake procedures, recertification procedures, and change-of-address procedures. It guarantees that if services are provided in a disabled person's home, the agency representative who actually goes to the home must assist the client with voter registration.

Opponents to S. 250 have argued that it would not increase voter turnout and that it would increase the cost associated with voter registration. Contrary to this, research has concluded that voter turnout increased between 13 and 26 percent in the four States which instituted effective motor-voter programs, and cost actually fell because the demand to hire additional staff, as voter registration deadlines approached, was eliminated.

Mr. Chairman, new opportunities for political empowerment must be afforded to persons left out of the political system. It is important for us to ensure that everyone in this country

has a stake in our democratic form of government and that the people are encouraged to seek change through the ballot box, creating a more representative government.

Although the literacy tests and poll taxes of the past which excluded potential voters and minorities in particular, no longer exist, inconvenient and cumbersome procedures in many States still serve to inhibit citizen participation in the electoral process.

I encourage my colleagues to join me today in support of S. 250 and bring down the barriers which have prohibited participation in the electoral process.

Ms. NORTON. Mr. Chairman, I rise today in strong support of the National Registration Act of 1991. This legislation embodies the essence of democracy at a time when the strongest threat to democracy in this country is the shrinking participation of Americans at the polls. A democracy is dysfunctional when there is shallow participation. Motor-voter legislation is a remedy with impressive proven effectiveness.

The District of Columbia has first-hand experience with the benefits of local motor-voter registration, which we started over 2 years ago. Under the District's motor-voter program, individuals who register for a driver's permit or a nondriver's identification card fill out a single one-page form—the top half goes to the department of motor vehicles and the bottom of the form goes to the board of elections. With that simple step, District residents are registered to vote.

At a cost of six cents per form, the motor-voter system saves money compared with voter registration by mail, which costs at least ten cents per form plus two-way postage. Especially important, the motor-voter systems allows year round voter registration and avoidance of the preelection rush.

The success of motor-voter registration in the District is born out in the numbers. Since its inception in May 1989, this system has yielded more than 46,000 new registrants, or half the new registrants in this time period. Of voter address changes, the motor-voter system accounted for 25 percent. Thus, almost 9,500 registrants would have been purged from the voter rolls or gone to the wrong polling place without motor-voter, and 13.8 percent of the changes in party affiliation in the District since May 1989, were accomplished through the motor-voter system. In the November 1990, general election, motor-voter registrants accounted for 30 percent of the total voting population.

The District is justifiably proud of its results with motor-voter. Many of us are ready to move on to same day registration allowing those with adequate evidence of their eligibility to vote as they register. Why not? If not, with so fewer and fewer Americans voting, we are dangerously close to de facto democracy.

If we want to promote citizen participation, if we want to eliminate voter apathy, if we want a healthy democracy, then this legislation is an effective step in the right direction. I urge my colleagues to follow the District's example and vote in favor of democracy by voting for national motor-voter legislation.

Mr. EWING. Mr. Chairman, I rise in opposition to S. 250, the National Motor Voter Registration Act, the so-called motor-voter bill. This bill contains many serious flaws that cannot be ignored and which overshadow any benefit it attempts to offer.

I strongly support efforts to increase voter registration, but this legislation would place another expensive, unfunded mandate on States, drastically increase the chances of voter fraud, and probably would not significantly increase voter turnout. Indeed, a Congressional Research Service survey has revealed that many States showed lower voter turnout after motor-voter programs were instituted.

This bill would force States to order their agencies to provide voter registration services. However, Federal funds are not appropriated to reimburse the States' expenses needed to set up and maintain these services. These rigid mandates are heaped upon State governments, many of which are already suffering the burden of severe budget shortfalls, caused in large part by more and more unfunded Federal mandates in recent years. If Congress finds that these mandates so important, it ought to back them up with the necessary funds.

S. 250 robs the States of their rights to regulate the election process by establishing national standards. The bill requires the Federal Elections Commission to write Federal voter registration regulations and orders States to comply with them. This bill is a classic example of the tendency of the Federal Government in recent years to trample on the rights of the States, and enforcing them to pick up the tab for the whimsical mandates of the Federal Government.

The motor-voter bill will encourage more registration fraud, a problem many States are already trying to tackle. First, S. 250 requires States to adopt voter registration through the mail, but also limits the ability of States to verify the eligibility and identity of applicants. Second, the bill puts severe limits on the ability of State agencies to rid their voter lists of bad names. Third, the bill encourages election day registration, which makes acceptable verification impossible. Finally, by requiring registration in welfare and unemployment agencies, it would be extremely difficult to prevent partisan encouragement or coercion. This bill's proposed methods invite a situation where the opportunity for voter registration fraud is heightened.

I support Republican leader MICHEL's substitute to S. 250, which will increase voter registration without encouraging fraud. This substitute would make motor-voter voluntary and provide block grants, with State matching requirements, for implementing voter enhancement programs. S. 250 would encourage partisanship and manipulation of citizen's voting activities, as well as electoral fraud, and this is not what our government should be encouraging. This bill will cost States millions of dollars.

Finally, Mr. Chairman, S. 250 did not even receive consideration from the House committee of jurisdiction. It is brought before the House without the benefit of hearings or a committee markup. This is a mockery of the legislative process. This type of handling by the majority party leads me to believe that this bill is politically motivated, this at a time when the American people are crying for the Congress to put politics as usual aside and be concerned about the real needs of America.

The CHAIRMAN. All time for general debate has expired.

Pursuant to the rule, the Senate bill is considered as having been read for amendment under the 5-minute rule.

The text of S. 250 is as follows:

S. 250

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the "National Voter Registration Act of 1992".

SEC. 2. FINDINGS AND PURPOSES.

(a) FINDINGS.—The Congress finds that—

(1) the right of citizens of the United States to vote is a fundamental right;

(2) it is the duty of the Federal, State, and local governments to promote the exercise of that right; and

(3) discriminatory and unfair registration laws and procedures can have a direct and damaging effect on voter participation in elections for Federal office and disproportionately harm voter participation by various groups, including racial minorities.

(b) PURPOSES.—The purposes of this Act are—

(1) to establish procedures that will increase the number of eligible citizens who register to vote in elections for Federal office;

(2) to make it possible for Federal, State, and local governments to implement this Act in a manner that enhances the participation of eligible citizens as voters in elections for Federal office;

(3) to protect the integrity of the electoral process; and

(4) to ensure that accurate and current voter registration rolls are maintained.

SEC. 3. DEFINITIONS.

As used in this Act—

(1) the term "election" has the meaning stated in section 301(1) of the Federal Election Campaign Act of 1971 (2 U.S.C. 431(1));

(2) the term "Federal office" has the meaning stated in section 301(3) of the Federal Election Campaign Act of 1971 (2 U.S.C. 431(3));

(3) the term "motor vehicle driver's license" includes any personal identification document issued by a State motor vehicle authority;

(4) the term "State" means a State of the United States and the District of Columbia; and

(5) the term "voter registration agency" means an office designated under section 7(a)(1) to perform voter registration activities.

SEC. 4. NATIONAL PROCEDURES FOR VOTER REGISTRATION FOR ELECTIONS FOR FEDERAL OFFICE.

(a) IN GENERAL.—Except as provided in subsection (b), notwithstanding any other Federal or State law, in addition to any other method of voter registration provided for under State law, each State shall establish procedures to register to vote in elections for Federal office—

(1) by application made simultaneously with an application for a motor vehicle driver's license pursuant to section 5;

(2) by mail application pursuant to section 6; and

(3) by application in person—

(A) at the appropriate registration site designated with respect to the residence of the applicant in accordance with State law; and

(B) at a Federal, State, or nongovernmental office designated under section 7.

(b) NONAPPLICABILITY TO CERTAIN STATES.—This Act does not apply to a State described in either or both of the following paragraphs:

(1) A State in which there is no voter registration requirement for any voter in the

State with respect to an election for Federal office.

(2) A State in which all voters in the State may register to vote at the polling place at the time of voting in a general election for Federal office.

SEC. 5. SIMULTANEOUS APPLICATION FOR VOTER REGISTRATION AND APPLICATION FOR MOTOR VEHICLE DRIVER'S LICENSE.

(a) **IN GENERAL.**—(1) Except as provided in subsection (b), each State motor vehicle driver's license application (including any renewal application) submitted to the appropriate State motor vehicle authority under State law shall serve as an application for voter registration with respect to elections for Federal office.

(2) An application for voter registration submitted under paragraph (1) shall be considered as updating any previous voter registration by the applicant.

(b) **DECLINATION TO REGISTER.**—(1) An applicant for a State motor vehicle driver's license may decline in writing to be registered by means of the motor vehicle driver's license application.

(2) No information relating to a declination pursuant to paragraph (1) may be used for any purpose other than voter registration.

(c) **FORMS AND PROCEDURES.**—(1) Each State shall include a voter registration application form for elections for Federal office as part of an application for a State motor vehicle driver's license.

(2) The voter registration application portion of an application for a State motor vehicle driver's license—

(A) may not require any information that duplicates information required in the driver's license portion of the form (other than a second signature or other information necessary under subparagraph (C));

(B) shall include a means by which an applicant may decline to register to vote pursuant to subsection (b);

(C) may require only the minimum amount of information necessary to—

(i) prevent duplicate voter registrations; and

(ii) enable State election officials to assess the eligibility of the applicant and to administer voter registration and other parts of the election process;

(D) shall include a statement that—

(i) states each eligibility requirement (including citizenship);

(ii) contains an attestation that the applicant meets each such requirement; and

(iii) requires the signature of the applicant, under penalty of perjury; and

(E) shall be made available (as submitted by the applicant, or in machine readable or other format) to the appropriate State election official as provided by State law.

(d) **CHANGE OF ADDRESS.**—Any change of address form submitted in accordance with State law for purposes of a State motor vehicle driver's license shall serve as notification of change of address for voter registration with respect to elections for Federal office for the registrant involved unless the registrant states on the form that the change of address is not for voter registration purposes.

SEC. 6. MAIL REGISTRATION.

(a) **FORM.**—(1) Each State shall accept and use the mail voter registration application form prescribed by the Federal Election Commission pursuant to section 9(a)(2) for the registration of voters in elections for Federal office.

(2) In addition to accepting and using the form described in paragraph (1), a State may develop and use a mail voter registration form that meets all of the criteria

stated in section 9(b) for the registration of voters in elections for Federal office.

(3) A form described in paragraph (1) or (2) shall be accepted and used for notification of a registrant's change of address.

(b) **AVAILABILITY OF FORMS.**—The chief State election official of a State shall make the forms described in subsection (a) available for distribution through governmental and private entities, with particular emphasis on making them available for organized voter registration programs.

(c) **FIRST-TIME VOTERS.**—(1) Subject to paragraph (2), a State may by law require a person to vote in person if—

(A) the person was registered to vote in a jurisdiction by mail; and

(B) the person has not previously voted in that jurisdiction.

(2) Paragraph (1) does not apply in the case of a person—

(A) who is entitled to vote by absentee ballot under the Uniformed and Overseas Citizens Absentee Voting Act (42 U.S.C. 1973ff-1 et seq.);

(B) who is provided the right to vote otherwise than in person under section 3(b)(2)(B)(ii) of the Voting Accessibility for the Elderly and Handicapped Act (42 U.S.C. 1973ee-1(b)(2)(B)(ii)); or

(C) who is entitled to vote otherwise than in person under any other Federal law.

SEC. 7. VOTER REGISTRATION AGENCIES.

(a) **DESIGNATION.**—(1) Each State shall designate agencies for the registration of voters in elections for Federal office.

(2) Each State shall designate as voter registration agencies—

(A) all offices in the State that provide public assistance, unemployment compensation, or related services; and

(B) all offices in the State that provide State-funded programs primarily engaged in providing services to persons with disabilities.

(3)(A) In addition to voter registration agencies designated under paragraph (2), each State shall designate other offices within the State as voter registration agencies.

(B) Voter registration agencies designated under subparagraph (A) may include—

(i) State or local government offices such as public libraries, public schools, offices of city and county clerks (including marriage license bureaus), fishing and hunting license bureaus, government revenue offices, and offices not described in paragraph (2)(B) that provide services to persons with disabilities; and

(ii) Federal and nongovernmental offices, with the agreement of such offices.

(4)(A) At each voter registration agency, the following services shall be made available:

(i) Distribution of mail voter registration application forms in accordance with paragraph (6).

(ii) Assistance to applicants in completing voter registration application forms.

(iii) Acceptance of completed voter registration application forms for transmittal to the appropriate State election official.

(B) If a voter registration agency designated under paragraph (2)(B) provides services to a person with a disability at the person's home, the agency shall provide the services described in subparagraph (A) at the person's home.

(5) A person who provides service described in paragraph (4) shall not—

(A) seek to influence an applicant's political preference or party registration;

(B) display any such political preference or party allegiance; or

(C) make any statement to an applicant or take any action the purpose or effect of

which is to discourage the applicant from registering to vote.

(6) A voter registration agency that is an office that provides service or assistance in addition to conducting voter registration shall—

(A) distribute with each application for such service or assistance, and with each recertification, renewal, or change of address form relating to such service or assistance—

(i) the mail voter registration application form described in section 9(a)(2); or

(ii) the office's own form if it is substantially equivalent to the form described in section 9(a)(2),

unless the applicant, in writing, declines to register to vote;

(B) to the greatest extent practicable, incorporate in application forms and other forms used at those offices for purposes other than voter registration a means by which a person who completes the form may decline, in writing, to register to vote in elections for Federal office; and

(C) provide to each applicant who does not decline to register to vote the same degree of assistance with regard to the completion of the registration application form as is provided by the office with regard to the completion of its own forms.

(7) No information relating to a declination to register to vote in connection with an application made at an office described in paragraph (6) may be used for any purpose other than voter registration.

(b) **FEDERAL GOVERNMENT AND PRIVATE SECTOR COOPERATION.**—All departments, agencies, and other entities of the executive branch of the Federal Government shall, to the greatest extent practicable, cooperate with the States in carrying out subsection (a), and all nongovernmental entities are encouraged to do so.

(c) **TRANSMITTAL DEADLINE.**—(1) Subject to paragraph (2), a completed registration application accepted at a voter registration agency shall be transmitted to the appropriate State election official not later than 10 days after the date of acceptance.

(2) If a registration application is accepted within 5 days before the last day for registration to vote in an election, the application shall be transmitted to the appropriate State election official not later than 5 days after the date of acceptance.

SEC. 8. REQUIREMENTS WITH RESPECT TO ADMINISTRATION OF VOTER REGISTRATION.

(a) **IN GENERAL.**—In the administration of voter registration for elections for Federal office, each State shall—

(1) ensure that any eligible applicant is registered to vote in an election—

(A) in the case of registration with a motor vehicle application under section 5, if the valid voter registration form of the applicant is submitted to the appropriate State motor vehicle authority not later than the lesser of 30 days, or the period provided by State law, before the date of the election;

(B) in the case of registration by mail under section 6, if the valid voter registration form of the applicant is postmarked not later than the lesser of 30 days, or the period provided by State law, before the date of the election;

(C) in the case of registration at a voter registration agency, if the valid voter registration form of the applicant is accepted at the voter registration agency not later than the lesser of 30 days, or the period provided by State law, before the date of the election; and

(D) in any other case, if the valid voter registration form of the applicant is received by the appropriate State election official not later than the lesser of 30 days, or

the period provided by State law, before the date of the election;

(2) require the appropriate State election official to send notice to each applicant of the disposition of the application;

(3) provide that the name of a registrant may not be removed from the official list of eligible voters except—

(A) at the request of the registrant;

(B) as provided by State law, by reason of criminal conviction or mental incapacity; or

(C) as provided under paragraph (4);

(4) conduct a general program that makes a reasonable effort to remove the names of ineligible voters from the official lists of eligible voters by reason of—

(A) the death of the registrant; or

(B) a change in the residence of the registrant, in accordance with subsections (b), (c), and (d);

(5) inform applicants under sections 5, 6, and 7 of—

(A) voter eligibility requirements; and

(B) penalties provided by law for submission of a false voter registration application; and

(6) ensure that the identity of the voter registration agency through which any particular voter is registered is not disclosed to the public.

(b) **CONFIRMATION OF VOTER REGISTRATION.**—Any State program or activity to protect the integrity of the electoral process by ensuring the maintenance of an accurate and current voter registration roll for elections for Federal office—

(1) shall be uniform, nondiscriminatory, and in compliance with the Voting Rights Act of 1965 (42 U.S.C. 1973 et seq.); and

(2) shall not result in the removal of the name of any person from the official list of voters registered to vote in an election for Federal office by reason of the person's failure to vote.

(c) **VOTER REMOVAL PROGRAMS.**—(1) A State may meet the requirement of subsection (a)(4) by establishing a program under which—

(A) change-of-address information supplied by the Postal Service through its licensees is used to identify registrants whose addresses may have changed; and

(B) if it appears from information provided by the Postal Service that—

(i) a registrant has moved to a different residence address in the same registrar's jurisdiction in which the registrant is currently registered, the registrar changes the registration records to show the new address and sends the registrant a notice of the change by forwardable mail and a postage prepaid pre-addressed return form by which the registrant may verify or correct the address information; or

(ii) the registrant has moved to a different residence address not in the same registrar's jurisdiction, the registrar uses the notice procedure described in subsection (d)(2) to confirm the change of address.

(2)(A) A State shall complete, not later than 90 days prior to the date of a primary or general election for Federal office, any program the purpose of which is to systematically remove the names of ineligible voters from the official lists of eligible voters.

(B) Subparagraph (A) shall not be construed to preclude—

(i) the removal of names from official lists of voters on a basis described in paragraph (3) (A) or (B) or (4)(A) of subsection (a); or

(ii) correction of registration records pursuant to this Act.

(d) **REMOVAL OF NAMES FROM VOTING ROLLS.**—(1) A State shall not remove the name of a registrant from the official list of eligible voters in elections for Federal office

on the ground that the registrant has changed residence unless the registrant—

(A) confirms in writing that the registrant has changed residence to a place outside the registrar's jurisdiction in which the registrant is registered; or

(B)(i) has failed to respond to a notice described in paragraph (2); and

(ii) has not voted or appeared to vote (and, if necessary, correct the registrar's record of the registrant's address) in an election during the period beginning on the date of the notice and ending on the day after the date of the second general election for Federal office that occurs after the date of the notice.

(2) A notice is described in this paragraph if it is a postage prepaid and pre-addressed return card, sent by forwardable mail, on which the registrant may state his or her current address, together with a notice to the following effect:

(A) If the registrant did not change his or her residence, or changed residence but remained in the registrar's jurisdiction, the registrant should return the card not later than the time provided for mail registration under subsection (a)(1)(B). If the card is not returned, affirmation or confirmation of the registrant's address may be required before the registrant is permitted to vote in a Federal election during the period beginning on the date of the notice and ending on the day after the date of the second general election for Federal office that occurs after the date of the notice, and if the registrant does not vote in an election during that period the registrant's name will be removed from the list of eligible voters.

(B) If the registrant has changed residence to a place outside the registrar's jurisdiction in which the registrant is registered, information concerning how the registrant can continue to be eligible to vote.

(3) A voting registrar shall correct an official list of eligible voters in elections for Federal office in accordance with change of residence information obtained in conformance with this subsection.

(e) **PROCEDURE FOR VOTING FOLLOWING FAILURE TO RETURN CARD.**—(1) A registrant who has moved from an address in the area covered by a polling place to an address in the same area shall, notwithstanding failure to notify the registrar of the change of address prior to the date of an election, be permitted to vote at that polling place upon oral or written affirmation by the registrant of the change of address before an election official at that polling place.

(2)(A) A registrant who has moved from an address in the area covered by one polling place to an address in an area covered by a second polling place within the same registrar's jurisdiction and the same congressional district and who has failed to notify the registrar of the change of address prior to the date of an election, at the option of the registrant—

(i) shall be permitted to correct the voting records and vote at the registrant's former polling place, upon oral or written affirmation by the registrant of the new address before an election official at that polling place; or

(ii)(I) shall be permitted to correct the voting records and vote at a central location within the same registrar's jurisdiction designated by the registrar where a list of eligible voters is maintained, upon written affirmation by the registrant of the new address on a standard form provided by the registrar at the central location; or

(II) shall be permitted to correct the voting records for purposes of voting in future elections at the appropriate polling place for the current address and, if permitted by State law, shall be permitted to vote

in the present election, upon confirmation by the registrant of the new address by such means as are required by law.

(B) If State law permits the registrant to vote in the current election upon oral or written affirmation by the registrant of the new address at a polling place described in subparagraph (A)(ii)(II), voting at the former polling place as described in subparagraph (A)(i) and at a central location as described in subparagraph (A)(ii)(I) need not be provided as alternative options.

(3) If the registration records indicate that a registrant has moved from an address in the area covered by a polling place, the registrant shall, upon oral or written affirmation by the registrant before an election official at that polling place that the registrant continues to reside at the address previously made known to the registrar, be permitted to vote at that polling place.

(f) **CHANGE OF VOTING ADDRESS WITHIN A JURISDICTION.**—In the case of a change of address, for voting purposes, of a registrant to another address within the same registrar's jurisdiction, the registrar shall correct the voting registration list accordingly, and the registrant's name may not be removed from the official list of eligible voters by reason of such a change of address except as provided in subsection (d).

(g) **CONVICTION IN FEDERAL COURT.**—(1) On the conviction of a person of a felony in a district court of the United States, the United States attorney shall give written notice of the conviction to the chief State election official designated under section 10 of the State of the person's residence.

(2) A notice given pursuant to paragraph (1) shall include—

(A) the name of the offender;

(B) the offender's age and residence address;

(C) the date of entry of the judgment;

(D) a description of the offenses of which the offender was convicted; and

(E) the sentence imposed by the court.

(3) On request of the chief State election official of a State or other State official with responsibility for determining the effect that a conviction may have on an offender's qualification to vote, the United States attorney shall provide such additional information as the United States attorney may have concerning the offender and the offense of which the offender was convicted.

(4) If a conviction of which notice was given pursuant to paragraph (1) is overturned, the United States attorney shall give the official to whom the notice was given written notice of the vacation of the judgment.

(5) The chief State election official shall notify the voter registration officials of the local jurisdiction in which an offender resides of the information received under this subsection.

(h) **REDUCED POSTAL RATES.**—(1) Subchapter II of chapter 36 of title 39, United States Code, is amended by adding at the end the following:

"§ 3629. Reduced rates for voter registration purposes

"The Postal Service shall make available to a State or local voting registration official the rate for any class of mail that is available to a qualified nonprofit organization under section 3626 for the purpose of making a mailing that the official certifies is required or authorized by the National Voter Registration Act of 1992."

(2) Section 2401(c) of title 39, United States Code, is amended by striking "and 3626(a)-(h)" and inserting "3626(a)-(h), and 3629".

(3) Section 3627 of title 39, United States Code, is amended by striking "or 3626 of this title," and inserting ", 3626, or 3629 of this title".

(4) The table of sections for chapter 36 of title 39, United States Code, is amended by inserting after the item relating to section 3628 the following new item:

"3629. Reduced rates for voter registration purposes."

(1) PUBLIC DISCLOSURE OF VOTER REGISTRATION ACTIVITIES.—(1) Each State shall maintain for at least 2 years and shall make available for public inspection and, where available, photocopying at a reasonable cost, all records concerning the implementation of programs and activities conducted for the purpose of ensuring the accuracy and currency of official lists of eligible voters, except to the extent that such records relate to a declination to register to vote or to the identity of a voter registration agency through which any particular voter is registered.

(2) The records maintained pursuant to paragraph (1) shall include lists of the names and addresses of all persons to whom notices described in subsection (d)(2) are sent, and information concerning whether or not each such person has responded to the notice as of the date that inspection of the records is made.

(j) DEFINITION.—For the purposes of this section, the term "registrar's jurisdiction" means—

(1) an incorporated city, town, borough, or other form of municipality;

(2) if voter registration is maintained by a county, parish, or other unit of government that governs a larger geographic area than a municipality, the geographic area governed by that unit of government; or

(3) if voter registration is maintained on a consolidated basis for more than one municipality or other unit of government by an office that performs all of the functions of a voting registrar, the geographic area of the consolidated municipalities or other geographic units.

SEC. 9. FEDERAL COORDINATION AND REGULATIONS.

(a) IN GENERAL.—The Federal Election Commission—

(1) in consultation with the chief election officers of the States, the heads of the departments, agencies, and other entities of the executive branch of the Federal Government, and representatives of nongovernmental entities, shall prescribe such regulations as are necessary to carry out this Act;

(2) in consultation with the chief election officers of the States, shall develop a mail voter registration application form for elections for Federal office;

(3) not later than June 30 of each odd-numbered year, shall submit to the Congress a report assessing the impact of this Act on the administration of elections for Federal office during the preceding 2-year period and including recommendations for improvements in Federal and State procedures, forms, and other matters affected by this Act; and

(4) shall provide information to the States with respect to the responsibilities of the States under this Act.

(b) CONTENTS OF MAIL VOTER REGISTRATION FORM.—The mail voter registration form developed under subsection (a)(2)—

(1) may require only such identifying information (including the signature of the applicant) and other information (including data relating to previous registration by the applicant), as is necessary to enable the appropriate State election official to assess the eligibility of the applicant and to administer

voter registration and other parts of the election process;

(2) shall include a statement that—

(A) specifies each eligibility requirement (including citizenship);

(B) contains an attestation that the applicant meets each such requirement; and

(C) requires the signature of the applicant, under penalty of perjury; and

(3) may not include any requirement for notarization or other formal authentication.

SEC. 10. DESIGNATION OF CHIEF STATE ELECTION OFFICIAL.

Each State shall designate a State officer or employee as the chief State election official to be responsible for coordination of State responsibilities under this Act.

SEC. 11. CIVIL ENFORCEMENT AND PRIVATE RIGHT OF ACTION.

(a) ATTORNEY GENERAL.—The Attorney General may bring a civil action in an appropriate district court for such declaratory or injunctive relief as is necessary to carry out this Act.

(b) PRIVATE RIGHT OF ACTION.—(1) A person who is aggrieved by a violation of this Act may provide written notice of the violation to the chief election official of the State involved.

(2) If the violation is not corrected within 90 days after receipt of a notice under paragraph (1), or within 20 days after receipt of the notice if the violation occurred within 120 days before the date of an election for Federal office, the aggrieved person may bring a civil action in an appropriate district court for declaratory or injunctive relief with respect to the violation.

(3) If the violation occurred within 30 days before the date of an election for Federal office, the aggrieved person need not provide notice to the chief election official of the State under paragraph (1) before bringing a civil action under paragraph (2).

(c) ATTORNEY'S FEES.—In a civil action under this section, the court may allow the prevailing party (other than the United States) reasonable attorney fees, including litigation expenses, and costs.

(d) RELATION TO OTHER LAWS.—(1) The rights and remedies established by this section are in addition to all other rights and remedies provided by law, and neither the rights nor any other provision of this Act shall supersede, restrict, or limit the application of the Voting Rights Act of 1965 (42 U.S.C. 1973 et seq.).

(2) Nothing in this Act authorizes or requires conduct that is prohibited by the Voting Rights Act of 1965 (42 U.S.C. 1973 et seq.).

SEC. 12. CRIMINAL PENALTIES.

A person, including an election official, who in any election for Federal office—

(1) knowingly and willfully intimidates, threatens, or coerces, or attempts to intimidate, threaten, or coerce, any person for—

(A) registering to vote, or voting, or attempting to register or vote;

(B) urging or aiding any person to register to vote, to vote, or to attempt to register or vote; or

(C) exercising any right under this Act; or

(2) knowingly and willfully deprives, defrauds, or attempts to deprive or defraud the residents of a State of a fair and impartially conducted election process, by—

(A) the procurement or submission of voter registration applications that are known by the person to be materially false, fictitious, or fraudulent under the laws of the State in which the election is held; or

(B) the procurement, casting, or tabulation of ballots that are known by the person to be materially false, fictitious, or fraudu-

lent under the laws of the State in which the election is held,

shall be fined in accordance with title 18, United States Code, or imprisoned not more than 5 years, or both.

SEC. 13. EFFECTIVE DATE.

This Act shall take effect—

(1) with respect to a State that on the date of enactment of this Act has a provision in the constitution of the State that would preclude compliance with this Act unless the State maintained separate Federal and State official lists of eligible voters, on January 1, 1996; and

(2) with respect to any State not described in paragraph (1), on January 1, 1994.

The CHAIRMAN. No amendment to the bill is in order except the amendment printed in House Report 102-558. Said amendment shall be considered as read and shall not be subject to amendment.

AMENDMENT IN THE NATURE OF A SUBSTITUTE OFFERED BY MR. THOMAS OF CALIFORNIA

Mr. THOMAS of California. Mr. Chairman, as the designee of the gentleman from Illinois [Mr. MICHEL], I offer an amendment in the nature of a substitute.

The CHAIRMAN. The clerk will designate the amendment in the nature of a substitute.

The text of the amendment in the nature of a substitute is as follows:

Amendment in the nature of a substitute offered by Mr. THOMAS of California:

Strike out all after the enacting clause and insert the following:

SECTION 1. SHORT TITLE.

This Act may be cited as the "National Voter Registration Enhancement Act of 1992".

SEC. 2. FINDINGS AND PURPOSES.

(A) FINDINGS.—The Congress finds that—

(1) the right to vote is a fundamental right;

(2) it is the responsibility of each citizen to exercise that right;

(3) it is the duty of the Federal, State, and local governments to promote the exercise of that right;

(4) discriminatory and unfair registration laws and procedures can have a direct and damaging effect on voter participation in elections for Federal office;

(5) such laws and procedures can disproportionately harm voter participation in such elections by members of various groups, including racial minorities;

(6) all citizens of the United States are entitled to be protected from vote fraud and from voter registration lists that contain the names of ineligible or nonexistent voters, which dilute the worth of qualified votes honestly cast; and

(7) all citizens of the United States are entitled to be governed by elected and appointed public officers who are responsible to them and who govern in the public interest without corruption, self-dealing, or favoritism;

(b) Purposes.—The purposes of this Act are—

(1) to increase registration of citizens as voters in elections for Federal office;

(2) to make it possible for Federal, State, and local governments to enhance voter participation in elections for Federal office;